

559

CHURCH HISTORY



Vol. III

DECEMBER, 1934

No. 4

FOXÉ'S MARTYRS

Walter E. Bauer

SOURCES OF JEFFERSON'S ECCLESIASTICAL VIEWS

Royden J. Mott

COLERIDGE'S THEORY OF THE CHURCH
IN THE SOCIAL ORDER

Cyril K. Gloyn

JOSHUA L. WILSON, FRONTIER CONTROVERSIALIST

Raymond L. Hightower

BOOK REVIEWS

Published by

The American Society of Church History

THE AMERICAN SOCIETY OF CHURCH HISTORY

FOUNDED BY PHILIP SCHAFF, 1888; REORGANIZED, 1906; INCORPORATED BY ACT OF THE
LEGISLATURE OF NEW YORK, 1916

OFFICERS FOR 1934

FREDERICK WILLIAM LOETSCHER.....*President*
JOHN THOMAS McNEILL*Vice-President*
ABDEL ROSS WENTZ.....*Secretary*
ROBERT HASTINGS NICHOLS.....*Treasurer*
MATTHEW SPINKA.....*Assistant Secretary*

OTHER MEMBERS OF THE COUNCIL

WILLIAM WALKER ROCKWELL	WILLIAM WARREN SWEET
GEORGE WARREN RICHARDS	CONRAD HENRY MOEHLMAN
WINFRED ERNEST GARRISON	WILHELM PAUCK
EDWARD STRONG WORCESTER	ROLAND H. BAINTON
WILLIAM DAVID SCHERMERHORN	SHIRLEY JACKSON CASE

EDITORIAL BOARD OF CHURCH HISTORY

MATTHEW SPINKA, *Managing Editor*
ROBERT HASTINGS NICHOLS
FREDERICK WILLIAM LOETSCHER, *ex officio*

PUBLICATION OFFICE, BERNE, INDIANA

EXECUTIVE AND EDITORIAL OFFICE, CHICAGO, ILLINOIS

CHURCH HISTORY is a quarterly journal published in March, June, September, December by the American Society of Church History. The subscription price is Three Dollars per year. The price of single copies is seventy-five cents. To foreign countries, the postage of twenty-five cents a year must be added. Subscriptions should be sent to Professor Matthew Spinka, 5757 University Ave., Chicago, Illinois, or to Professor Robert Hastings Nichols, 10 Nelson Street, Auburn, New York. Remittances should be made to the order of American Society of Church History.

All communications regarding contributions, book reviews, and other matters of editorial nature should be sent to Professor Matthew Spinka, 5757 University Avenue, Chicago, Illinois.

Claims for missing numbers and changes of address should be addressed to Prof. R. H. Nichols, 10 Nelson St., Auburn, N. Y.

Entered as second-class matter March 9, 1934, at the post office at Berne, Ind., under the Act of March 3, 1879.

CHURCH HISTORY

EDITORIAL BOARD

MATTHEW SPINKA, *Managing Editor*

ROBERT HASTINGS NICHOLS

FREDERICK WILLIAM LOETSCHER, *ex officio*

Vol. III

DECEMBER, 1934

No. 4

CONTENTS

FOXÉ'S MARTYRS <i>Walter E. Bauer</i>	249
SOURCES OF JEFFERSON'S ECCLESIASTICAL VIEWS <i>Royden J. Mott</i>	267
COLERIDGE'S THEORY OF THE CHURCH IN THE SOCIAL ORDER <i>Cyril K. Gloyne</i>	285
JOSHUA L. WILSON, FRONTIER CONTROVERSIALIST <i>Raymond L. Hightower</i>	300
BOOK REVIEWS	317
LUNT, WILLIAM E.: <i>Papal Revenues in the Middle Ages</i>	F. W. Buckler
LAKE, KIRSOPP: <i>Paul: His Heritage and Legacy</i>	E. F. Scott
BONNER, CAMPBELL, ed.: <i>A Papyrus Codex of the Shepherd of Hermas</i>	Donald W. Riddle
EASTON, B. S., tr.: <i>The Apostolic Tradition of Hippolytus</i>	Frederick A. Schilling
RICHARDS, G. W.: <i>Beyond Fundamentalism and Modernism</i>	Robert Hastings Nichols
LUNN, BRIAN: <i>Martin Luther</i>	Henry Schaeffer

CONTENTS

SIEGMUND-SCHULTZE, F., ed.: <i>Die Kirche von England</i>	Edward R. Hardy, Jr.
SIEGMUND-SCHULTZE, F., ed.: <i>Die evangelischen Kirchen der Niederlande</i>	M. J. Hoffman
McKerrow, James C.: <i>Religion and History</i>	Vergilius Ferm
Kretzmann, P. E.: <i>The Story of the German Bible</i>	L. Franklin Gruber

Church History

Vol. III

DECEMBER, 1934

No. 4

FOXES MARTYRS

WALTER E. BAUER

Valparaiso University

Obviously, the most valuable parts of Foxe's *Acts and Monuments* are the accounts which he gives of the disciplinary measures by means of which the ecclesiastical authorities of England endeavored to make good their claim to supreme jurisdiction over the faith and morals of their subjects, particularly during the reign of Henry VIII and that of Mary.¹ Although Foxe repeatedly stated that he "professed no such title to write of martyrs,"² it was as a history of ecclesiastical persecution, primarily, that the work was hailed with delight by all factions of English Protestants. The public lost no time dubbing it "Foxe's Book of Martyrs," the title by which it has ever since been popularly known. Those who had safely lived through the dreadful *tempora Mariana*, either as exiles abroad or as heretics at home, eagerly scanned its pages for some mention of relatives or acquaintances who had perished in the flames rekindled by Mary and her councillors. Many of its readers, not looking for it, were no doubt gratified as well as surprised to find their own names woven into the story of religious and patriotic heroism, a factor which contributed not a little to the enormous popularity of the work.³ It was not, then, for the

¹ This monumental work was published first in Latin at Strassburg (1554), then, also in Latin but enlarged to bring the story down to the death of Mary, at Basle (1559), and finally, upon his return from exile, in an English translation with much additional material tracing the history of the church from the days of the twelve apostles, at London (1563). During the remainder of the author's life three new editions were called for (1570, 1576, and 1583). There have been numerous editions, translations, abridgments, and adaptations since. In the later editions prepared by Foxe the work assumed tremendous proportions, being, it has been estimated, about twice the size of Gibbon's *Decline and Fall of the Roman Empire*.

² III, p. 705. The references to the *Acts and Monuments* in this paper are to the eight volume edition (1843-9) prepared by S. R. Cattley.

³ Next to the Bible and the Prayer Book, perhaps no other work of a religious character was so widely known and read in Elizabethan and early Stuart times, both in England and New England. Cf. Ed. Fueter, *Geschichte der neueren Historiographie*, p. 257.

history of the Waldenses or the Turks or the Husites that people turned to the *Acts and Monuments*, at least not primarily; their chief interest lay in Foxe's history of the English martyrs—Lollard, Henrician, and Marian.

For historians of the present, too, the value of Foxe's work lies principally, if not entirely, in its account of the resistance to ecclesiastical authority in England during the fifteenth and the first half of the sixteenth century. For the earlier periods of the church, English as well as Continental, we possess much better authorities than Foxe, if indeed Foxe may be called an authority at all for these periods.⁴ No one, for example, would seriously think of consulting the *Acts and Monuments* for the history of the apostolic or the Anglo-Saxon church; but when we are looking for information concerning the religious persecutions under the Tudors, we are obliged, for the want of better sources, to consult the *Book of Martyrs*, at any rate for many of the victims of intolerance under Henry VIII and Mary. Besides, here Foxe was writing of contemporary events, of some of which he could truthfully say with the poet of old, "*quorum pars magna fui*," a fact which certainly entitles him to a hearing. Indeed, if it were not for their history of the Protestant martyrs of England, the *Acts and Monuments* would long ago have passed into total and well deserved oblivion.

In his *History of the Worthies of England*, Bishop Fuller quotes an epigram which seems to have had considerable currency among certain "cavillers" of his day: "Many who were burnt in Foxe in the reign of Queen Mary drank sack in the reign of Queen Elizabeth."⁵ By "cavillers" Fuller no doubt meant, primarily, the Catholic critics of the *Acts and Monuments*, who in his day, as before and since that time, were doing their utmost to discredit the work which was so largely responsible for the *odium papae* of Puritan England. This epigram is repeated with apparent approval in a relatively recent study under the title of *Foxe's Book of Errors*.⁶ It was not only the Catholic critics, however, who cast doubt upon

⁴ When the publishers of the ill-fated edition of 1837-41 declared in a prospectus of the forthcoming work that Foxe must be regarded as an authority on the history of the church, S. R. Maitland, in a series of six letters to the editor of *The British Magazine*, proved that at least for the earlier periods of the church Foxe was altogether unreliable. Cf. *The British Magazine*, XI (1836), p. 620 and XII (1837), pp. 7, 137, 253, 376, 496, and 620.

⁵ p. 92, (edition of 1660.)

⁶ J. M. Stone, *Studies from Cloister and Court*, p. 254 sq. Cf. also *Month*, XCV, p. 352.

Foxe's veracity; some of the later Protestant critics, under the influence of anti-Puritan and High Church tendencies, were hardly less severe in their attacks upon the trustworthiness of his account of the English martyrs. It is not strange, therefore, that Foxe, who in the sixteenth and seventeenth centuries was regarded among English Protestants as an authority of unimpeachable character, came to be considered in the nineteenth and twentieth centuries, at least in certain quarters, as the liar *par excellence* of the Anglican Reformation.

The stigma thus attaching to the name of Foxe and his *magnum opus* is very unfortunate, not only because it is unjust but also because it has apparently blinded many students of history to the really great qualities of the *Acts and Monuments* and to the place of this work in the field of English history and that of English historiography. Preserved Smith, in his *Age of the Reformation*, has called attention to the fact that the original narrative of Foxe has never been fully or impartially investigated.⁷ It is obvious that such an investigation is a large task and that it can be undertaken only by one who has access to the hundreds of original documents which were utilized by Foxe and which are preserved, for the most part, in the Harleian and Lansdowne collections of manuscripts in the British Museum.⁸ It is not necessary, however, to postpone a verdict upon Foxe as historian and upon the *Acts and Monuments* as history until such an investigation has been completed. A sufficiently large number of Foxe's sources has been edited to make a critical investigation possible. The author of this paper has gone over all the published documents available to him for the purpose of finding, if possible, definitive answers to two questions: 1. Is Foxe's narrative of persecution in England based upon facts? 2. Is Foxe's interpretation of the facts tenable?⁹

To a certain extent, Foxe was himself to blame for the evil repute into which his *Book of Martyrs* has fallen. Industrious as he was, he was not always a careful writer and editor, a fact which he is honest enough to admit in his reply to Alan Cope (Nicholas Harpsfield) concerning his account of the martyrdom of Lord Cobham.¹⁰ Although in numerous instances he indicates the sources whence he obtained his mate-

⁷ p. 586.

⁸ Cf. *Dictionary of National Biography*, s. v. "Foxe."

⁹ The research for this paper was done principally in the library of Cornell University, which possesses excellent collections of materials for the period of the Reformation.

¹⁰ III, p. 283f.

rial¹¹ or gives the names of those who were present at a burning,¹² he often indicates no source at all.¹³ Nor does he add to the credibility of his work by a statement such as this:¹⁴

This Thomas Holmes, albeit he had disclosed and detected many of his brethren, as in the table above is expressed; thinking thereby to please the bishop, and to save himself, and was thought to be a fee'd man of the bishop for the same: yet, notwithstanding, in the said bishop's register appeareth the sentence of relapse and condemnation, written and drawn out against him; and *most likely he was also adjudged and executed with the others.* (Italics are mine.)

Apparently Grindal, who supplied Foxe with most of the material for his section on the Marian martyrs in the edition of 1559, was aware of the tendency on the part of Foxe to be rather hasty and superficial, as his letter to the martyrologist, dated from Strassburg, December 19, 1558, seems to indicate.¹⁵ In this letter Grindal advised Foxe to postpone the publication of his martyrology until he had had time to verify some of his facts.¹⁶ But Foxe, ignoring this advice and pressed, no doubt, by the dire necessity of earning a livelihood, proceeded with his undertaking and, with something like modern journalistic speed, published the history of Mary's reign within less than a year after her death.

It is, of course, no longer possible, after the lapse of two and a half centuries, to verify every case of persecution described by Foxe, not even every case of death by fire and faggot. But one would have to be rash indeed on that account to question the general historicity of Foxe's narratives of persecution. To begin with, no one can deny that there was a great deal of religious persecution in England as well as elsewhere in Europe during the fifteenth and sixteenth centuries. The mere existence of the statute *De haeretico comburendo*, enacted under Henry IV, repealed under Edward VI, and re-enacted under Mary, would be enough to prove, in the absence of any other evidence, at least the probability of capital punishment for heresy

11 E. g., martyrdom of William Gardner, VII, p. 282, and death of Richard Hun, IV, p. 198, 205.

12 E. g., martyrdom of Christopher Wade, VI, p. 321.

13 E. g., martyrdom of Richard Hook, VII, p. 339; Robert Silkeb, IV, p. 558; Seven Godly Martyrs, IV, p. 557.

14 IV, p. 225.

15 *The Remains of Archbishop Grindal* (published by the Parker Society), p. 237.

16 "Jam quod ad historiam Martyrum attinet, Sampsonus et ego existimamus optimum fore, ut ad aliquod tempus premeretur, donec ex Anglia et certiora and plura comparemus . . . Levis erit jactura temporis, si rerum copia et certitudine compensetur."

in England after 1401. Then, too, those who have most to gain by attacking the accounts of persecution in the *Acts and Monuments* and in other works of a similar character are all agreed that the church, during the period under consideration, did call upon the secular arm to punish heretics, even to the point of burning them at the stake. The attitude of Sir Thomas More toward the whole question of persecution is too well known and too well attested to make possible a successful denial of this barbarous conduct on the part of the church. Not only did Sir Thomas, as chancellor of Henry VIII, play a leading rôle in the persecution and execution of heretics,¹⁷ but he ventured the opinion that altogether too few had been put to death for the crime of disagreeing with the church on some point of doctrine.¹⁸ Harpsfield, another Catholic and a contemporary critic of Foxe, did not question the facts of ecclesiastical discipline compiled by Foxe so much as he did the interpretation given to these facts in the *Acts and Monuments*.¹⁹ One of the greatest of modern Catholic historians, John Lingard, concedes that, due allowances being made for Protestant exaggeration, at least two hundred heretics perished at the stake during the brief reign of Mary alone.²⁰ Thus to undertake to prove that Foxe's history of persecution in England is, in a general way at least, based upon established facts, is to carry coals to Newcastle.

But, as already pointed out, while it is not possible in every instance to test the veracity of Foxe, it is possible to do so in a great many cases, at least in a sufficient number to justify a general conclusion. Many of the sources used by Foxe are still in existence. John Gough Nichols has edited a number of them for the Camden Society under the title of *Narratives of the Days of the Reformation*. A careful perusal of these papers will show that Foxe, although not fond of revising what he had once written, was at least honest and fairly accurate in his work.²¹

Without doubt the most important public records consulted and quoted by Foxe are the episcopal registers of a number of dioceses, particularly those of London and Lincoln for the

17 E. g., Tewkesbury, (IV, p. 688 sq.) and Bainham, (IV, p. 697 sq.)

18 Cf. Tyndale's *Answer to Sir Thomas More's Dialogue, The Supper of the Lord* (published by Parker Society), p. 97, note 6.

19 Cf. Canon Townsend's *Life of Foxe* prefixed to the first volume of the 1843-9 edition, p. 204.

20 *History of England*, V. p. 486, (edition of 1849.)

21 This is Nichols' own finding. See his introductory remarks.

persecution of Lollards and Lutherans under Henry VIII.²² Unfortunately, the register of Longland, bishop of Lincoln from 1521 to 1547, is no longer extant²³ and those of Fitzjames, Tunstal, Stokesley, and Bonner, bishops of London successively from 1506 to 1549, have not as yet been published. For the persecution of the early Lollards Foxe used the register of John Treffnant, bishop of Hereford from 1389 to 1404, especially for his material concerning William Swynderby²⁴ and Walter Brute.²⁵ This register has recently been edited by the Canterbury and York Society and is an invaluable aid for the investigation of Foxe's accuracy. A considerable number of extracts from various episcopal registers may be found in Wilkins' *Concilia Magnae Britanniae et Hiberniae* and thus compared with those published in the *Acts and Monuments*.²⁶

In these registers Foxe found an inexhaustible mine of exactly the kind of evidence he wanted to lend color and force to his denunciation of the "proud, cruel, and bloody rage of the Catholic seat" against the "true Church of Christ," that is to say, against the remnants of Lollardy in England. More, here was evidence of the most unimpeachable character which even his enemies could not brush aside as lies manufactured to meet the needs of Protestant propaganda. Naturally Foxe made the most of what he could find in these registers, although he frequently expressed the regret that his limited space forbade the inclusion of much that he was anxious to publish. Whether or not the extracts from the registers always prove what Foxe intended them to prove is a question to be discussed later. Suffice it to say here that these extracts constitute extremely valuable source material for the study of ecclesiastical discipline in England on the eve of the Reformation. Making the necessary allowances for exaggeration in the charges filed against the accused, one can by means of these citations learn a good deal about the extent and intensity of Lollardism left in the first two decades of the sixteenth century and also throw some light on the spread of Lutheran doctrines after 1523.

The value of these extracts from the episcopal registers has been impugned on the ground that they can no longer be

²² IV, pp. 174-246.

²³ Cf. W. H. Summers, *The Lollards of the Chiltern Hills*, p. 104 sq.

²⁴ III, p. 107.

²⁵ III, p. 131.

²⁶ E. g., "Examination of Nicholas Hereford, Philip Reppyngdon, and John Ashton," *Acts and Monuments*, III, p. 31 and Wilkins' *Concilia*, III, p. 160.

verified by a comparison with the originals, which, according to the charge, had been destroyed or at least mutilated by Foxe or some of his assistants. This accusation was first made by the Jesuit, Parsons, in his *Three Conversions of England* and has since been repeated many times by critics unfriendly to Foxe. Parsons stated that he could have found abundant matter to refute Foxe "out of the records he used, had not he and his fellows made away and defaced the said records: which were to be found before him in the registers of every bishopric and cathedral church."²⁷ This is certainly a grave charge, but it loses much of its seriousness by the fact that Parsons modified his statement by adding, "as we presume." It appears, from this modification, that Parsons was merely expressing a conjecture. Strype took up this charge and denied it most vigorously:²⁸

Foxe was an indefatigable searcher into old registers, and left them as he found them, after he had made his collections and transcriptions out of them. Many whereof I have seen and do possess. And it was his interest that they should remain to be seen by posterity: and therefore we frequently find references thereunto in the margins of his book. Many have diligently compared his books with registers and council-books, and have always found him faithful.

It cannot be denied that Foxe was often careless and that he sometimes suppressed what he found in his sources,²⁹ but it is safe to assume that he had enough sense not to expose his work to the accusation ventured by Parsons. Besides Foxe, whatever may be said against his Puritan ethics, was not the type of man to employ such tactics. Unless, therefore, Parsons' charge can be substantiated with something more concrete and definite, we may dismiss it as an expression of bigotry.

For some of his material concerning the early Lollards Foxe used the *Fasciculi Zizaniorum Magistri Johannis Wyclif* ascribed to Thomas Netter of Walden³⁰ and the *Chronica Monasterii Sancti Albani* of Thomas Walsingham.³¹ Both of these works have been edited for the "Rolls Series" and are thus available for testing the reliability of Foxe's history of the first followers of Wyclif.

²⁷ Quoted by Strype, *Annals of the Reformation*, I, i. p. 376.

²⁸ *Ibid.*, loc. cit.

²⁹ E. g., IV, p. 174.

³⁰ V, p. 321.

³¹ *Ibid.*

With reference to a large portion of his material on the English martyrs it is not a question of Foxe's accuracy so much as the accuracy of the writers whom he follows, for here, as elsewhere in the *Acts and Monuments*, he was merely compiling. According to his own statement, the entire account of the troubles of William Thorpe, consisting for the most part of a reprint of Thorpe's examinations before Archbishop Arundel, is "as first set forth and corrected by Master William Tindal."³² Again, the lengthy account of "The Trouble and Persecution of the most valiant and worthy Martyr of Christ, Sir John Oldcastle, knight, Lord Cobham" is, on Foxe's own authority, borrowed from the *Examination and Death of Lord Cobham* by John Bale.³³ From the same source Foxe also derived his material for "The Trouble and Persecution of Anne Askew."³⁴ Most of his sources for the story of Richard Hun he found in Hall's *Chronicle*.³⁵ It must be evident, therefore, that in many instances such inaccuracies as there are in Foxe's narratives are not really the errors of Foxe, but of those whom he followed, often all too implicitly.³⁶

In addition to the sources which Foxe actually used there are numerous independent sources by means of which the trustworthiness of his statements may be tested. Among these the most valuable are the publications of the Parker Society, fifty-three volumes of "collected works of the fathers and early writers of the Reformed English Church." Of the two hundred and eighty-two Marian martyrs included by Foxe, one hundred and sixty-two are mentioned by name in these volumes. But of these, one hundred and fifty-three occur in the same source, Thomas Bryce's *Compendious Register in Metre, conteyning the names and pacient suffryngs of the membres of Jesus; and the tormented and cruelly burned within England, since the death of our famous Kyng of imortall memory Edwarde the Sixte: to the raigne of our Soueraigne and derest lady Elizabeth of England, Fraunce, and Ireland, quene, etc.*³⁷ The fact that about nine-tenths of all the Marian martyrs men-

³² III, p. 249 sq.

³³ III, p. 705. Bale's works are reprinted in the first volume of the publications of the Parker Society.

³⁴ V, pp. 537-50.

³⁵ IV, pp. 183-198; 205.

³⁶ E. G., Bale made some serious mistakes in his account of Cobham's death. Cf. *Dictionary of National Biography*, s. v. "John Oldecastle."

³⁷ *Select Poetry*, I, xix and pp. 161-174.

tioned in the volumes of the Parker Society are found in a single source of this nature tends naturally to lessen the value of this corroborating evidence and calls for a brief consideration of Bryce and his poem.

The editor of *Select Poetry*, in which Bryce's poem is reprinted, believes that the author was a clergyman who managed to escape the persecution under Mary. This belief seems to be borne out by a reference in Strype's *Life of Archbishop Grindal* to one Thomas Brice who was ordained deacon by the bishop of London, April 25, 1560.³⁸ Bryce's *Compendious Register* was published in 1559, this date being determined by an entry in the Stationers' Registers for that year:³⁹

Rychard Adams for pryntinge the Regester of all them that ware burned without lycense was fyned at v^s . . . v^s.

Arber adds the following note:

This compendious register in metre of the Marian martyrs was written by Thomas Brice; and was doubtless of considerable use to John Foxe in the preparation of the first English edition of his *Actes and Monuments*, etc., which appeared in 1563.

Arber's opinion is obviously based on mere conjecture. There is just as much reason for believing that Foxe did not utilize this poem, as the sequence of the martyrs and the spelling of their names seem to indicate.⁴⁰ At the most, all that Foxe could have derived from it was the bare mention of the names of the victims. At any rate, this poem, apparently written to be sung, was widely known at the time and may well be considered as a partial corroboration of Foxe's history of the Marian martyrs.

There are also several contemporary chronicles which bear out parts of Foxe's story. Among these is the *Chronicle*

³⁸ p. 59.

³⁹ Arber's edition, I, p. 101.

⁴⁰ Compare, e. g., the sequence and spelling in the first two stanzas of the poem with the sequence and spelling in the *Acts and Monuments*.

Bryce
Wattes
Simson
Hawkes
Jhon Ardite
Chamberlaine
Bradford
Jhon Least

Foxe
John Simson
John Ardely
Thomas Haukes
Thomas Wats
Thomas Osmond
William Bomford
Nicolas Chamberlaine
John Bradford
John Leaf

of King Henry VIII of England. This is a contemporary record of some of the principal events of the reigns of Henry VIII and Edward VI written in Spanish by an unknown hand.⁴¹ This chronicle is valuable for its accounts of the execution in 1540 of the Carthusian monks who refused to take the oath of supremacy,⁴² the martyrdom of Dr. Forest,⁴³ and of Dr. Barnes.⁴⁴ Many of the details in the *Acts and Monuments* are substantiated by Wriothesley's *Chronicle of England during the Reign of the Tudors from A. D. 1485 to 1559*.⁴⁵ Machyn's *Diary of London from 1550 to 1563* is also valuable as a corroborating source, containing numerous references to the victims of persecution under Mary.⁴⁶ As all three of these chronicles were written by men opposed to the principles of the Reformation, their testimony is all the more reliable.

In the "Catalogue of Originals," appended to the third volume of his *Ecclesiastical Memorials*, Strype reprints, from the papers of Burghley, "an account of such as were burned for religion in this reign." This account does not give the names of any of the martyrs, but merely the year, the county, and the town or city in which the burning took place. Still, it is valuable for checking these important details. All told, according to this source, the victims total 288, "besides those that dyed of famyne in sondry prisons," six more than the total in the *Book of Martyrs*.⁴⁷

That Foxe's account of the burning of heretics was sure to contain errors of fact is almost self-evident. Even in our age of highly developed methods of communication we are not surprised to find errors and discrepancies in the reports of competent, disinterested, and professionally trained newswriters. It must be remembered that the sixteenth century had practically none of the means by which at the present time intelligence of events may be transmitted and verified. Besides, the conditions under which Foxe wrote his history presented certain additional difficulties. Foxe was an exile, far removed

41 Cf. the title-page of the English translation by Martin A. Sharpe Hume.

42 Chap. XI; *Acts and Monuments*, V, p. 439.

43 Chap. XXIII; *Acts and Monuments*, V, p. 180.

44 Chap. LXXXIV; *Acts and Monuments*, V, pp. 414-438.

45 Published by the Camden Society in two volumes. (New Series, XI and XX).

46 Published by the Camden Society (XLII). Cf., e. g., pp. 59, 82, 83, 87, 88, 89, 90, 340, 341, 344, 346.

47 Cf. A. F. Pollard, *The History of England from the Accession of Edward VI to the Death of Elizabeth*, p. 153, note 5.

from the scene of persecution. The events which he undertook to chronicle took place in an atmosphere of intense excitement. Fear, hatred, and suspicion had raised the passions of many to a point at which it was impossible for them to take a calm view of things. The literature of the age, as that of every other age, is largely discolored by partisan views. It was hardly to be expected that the reports of the persecution which found their tortuous way first to Grindal and then to Foxe contain a dispassionate account of what was going on at home. Most of them were written by interested parties, some of them eye-witnesses—relatives, friends, or at least co-religionists. It is easy to see why many of Foxe's sources were unavoidably *ex parte* testimony and for this reason subject to errors of various kinds. All of which is not intended to be a defense of Foxe or an apology for the *Acts and Monuments*; it is intended to be merely an explanation which fairness demands but which in the case of Foxe and his work seems seldom to be considered. Foxe has plenty of shortcomings, but no honest critic can blame him for having to make the best of circumstances beyond his own control.

Much of the evidence for the truth of Foxe's stories about the Marian martyrs is necessarily in the nature of an inference. Whatever the value of this kind of evidence may be in other cases, in the case of Foxe's narrative it happens to be rather convincing. If ever a work of history was exposed and subjected to the closest scrutiny by those who were a part of that history, it was Foxe's *Book of Martyrs*. Copies of it were to be found in all the cathedral churches, in accordance with a decree of Convocation passed in 1570, and so great was the demand for it that hundreds of parish churches possessed copies chained side by side with the Bible. In many of the churches it was read as a part of the Sunday evening service. Friend and foe alike consulted it, and if there were any serious misstatements of fact they were almost certain to be detected and pointed out.

Two of Foxe's contemporary critics, both of them Catholic and both able and relentless, set out to undo or at least to check the influence which the *Acts and Monuments* were exerting upon the mass of the English people. Harpsfield said that he found the work as full of "lies as lines" and Parsons discovered one hundred and twenty "lies" in three pages, mean-

ing by "lies" erroneous theological notions. But as to the martyrs themselves, while denying or doubting that some of them had died at the stake, they were able to show that Foxe had made only one mistake, and not a very serious one at that. John Deighton, a Protestant minister, pointed out another error. Beyond these two instances, that part of the *Acts and Monuments* dealing with the simple facts of persecution appears to have stood the test of a most searching criticism with but little damage to its credibility.

The error pointed out by Harpsfield and later on by Parsons concerns the supposed martyrdom of John Marbeck, who, according to the 1563 edition, was said to have been burned at Windsor, July 28, 1543, together with two others for violation of the Six Articles. Harpsfield, rejoicing over the discovery of this mistake, writes in a jocular vein about this "pseudo-martyr." In his *Dialogi Sex* one of the characters in the sixth dialogue, Irenaeus, is made to speak as follows:⁴⁸

Do not think that I am unjust toward the pseudo-martyrs, and that I wish to lessen or extenuate these their miraculous endurings; for I certainly cannot doubt their truth, if that indeed be true which Foxe relates, that we have lately had another Polycarp among us in England; upon whom either the fire had no power, or who, his whole body having been reduced to ashes, sprung to life again, more wonderfully than Lazarus. For behold you have John Marbeck, the organist at Windsor, in the year 1543, and 28th July, "undergoing martyrdom at the fire with cheerful constancy," (I quote the words of Foxe). But he is yet living, and chants as beautifully, and plays the organ as skilfully, as he was want to do.

Critoboulus, another character of the dialogue, replies:

I am altogether astonished at this account. And now you have, according to your own confession, at least one miracle of our martyrs, which may vie with the most celebrated of those of Christ or his disciples.

To which Irenaeus answers:

This I would most readily concede to you, if he had ever been burnt; but he was neither burnt nor brought to the fire.

The text of the first English edition of the *Book of Martyrs* contained the following brief notice concerning the persecution at Windsor referred to:⁴⁹

⁴⁸ Quoted by Townsend, *op. cit.*, p. 177 sq. A copy of Harpsfield's now exceedingly rare *Dialogi Sex contra Summi Pontificatus . . . oppugnatores* may be seen in the McAlpin collection in the library of Union Theological Seminary.

⁴⁹ V, p. 497, note 1.

These five men (Robert Testwood, Henry Filmer, Anthony Peerson, Robert Bennet, and John Marbeck) were condemned to death by the statute of the Six Articles, and adjudged to be burned, saving that Bennet and Filmore escaped by the king's pardon: the other three, Peerson, Testwood, and Marbeck, constantly and stoutly suffered martyrdom in the fire, the 28th of July, 1543.

But before the publication of this edition Foxe had discovered the mistake and at the end of the work he made the necessary correction in the "Faultes and oversightes escaped, and to be restored in the reading of this history."⁵⁰ But apparently Harpsfield did not see the correction, although he had plenty of time to notice it, for his *Dilalogi Sex* were not published until 1566, three years after the first English edition of the *Acts and Monuments*. One can readily sympathize with Foxe in his resentment at Harpsfield's sarcastic attack upon his veracity and with his vigorous, though somewhat ranting, reply to this "crooked caviller":⁵¹

Wherefore against these crooked cavillers, which make so much ado against my former book, because in a certain place I chanced to say that Bennet and Filmer had their pardon (when indeed it was Bennet and Marbeck), be it therefore known, protested, denounced, and notified, to all and singular such carpers, wranglers, exclaimers, depravers, corner-creepers, fault-finders, and spider-catchers, or by what name else soever they are to be titled, that here I openly say and affirm, profess, hold, and maintain, and write the same as I said and wrote before, in the latter castigation of my book: that is, that John Marbeck was, with the others, condemned, but not burned; cast by the law, but by pardon saved; appointed with the rest to die, and yet not dead; but liveth, God be praised, and yet to this present day singeth merrily, and playeth on the organs, not as a dead man amongst "Foxe's Martyrs" (as it hath pleased some in the court to encounter against me), but as one witnessed and testified truly in the book of

Foxe's Martyrs to be alive.

Incidentally, Foxe might have avoided this mistake if he had consulted Hall's chronicle in this instance as he did in certain others, for Hall had the story correct from the beginning.⁵² As Gairdner points out,⁵³ the jest of Harpsfield was a good one, but it was really not fair. For Parsons' repetition of this criticism thirty-seven years later, in 1603, there was absolutely no justification.⁵⁴

⁵⁰ V, p. 498, note 2.

⁵¹ V, p. 496f. Printed for the first time in the 1570 edition.

⁵² p. 858 sq. (edition of 1809).

⁵³ *Lollardy and the Reformation in England*, I, p. 359.

⁵⁴ Townsend, *op. cit.*, p. 199.

The second error, already referred to, was pointed out by a Protestant critic "for the reverence which he bore to the memory of Mr. Foxe" and concerns one, possibly two, of the Marian martyrs. The 1563 edition of the *Acts and Monuments* contained the following account:⁵⁵

Jhon Horne. And a woman. Martyrs. September 25 (1556).

Nowe not long after the death of the said young man at Bristow, in the same manner were ii. mo godly martirs consumed by fire at Wutton underhedge in Glocestershier, whose names are above specified, which died very gloriously in a constant fayth, to the terror of the wicked, and comfort of the godly. So graciously did the Lorde worke in them, that death unto them was lyfe, and lyfe with a blotted conscience was death.

Among the manuscripts of Foxe there is a letter written to the publishers of a new edition, probably that of 1632, calling attention to several errors in this account and requesting that they be corrected. This letter, written by John Deighton, runs as follows:⁵⁶

Whereas in the last edition of mr. Fox his famous works called the booke of Martyrs, as likewise in all the former editions, there is mention made of one John Horne and a woman that suffered martyrdom for the testimony of their faith at Wotton-under-Edge in Gloucestershere, let it be known that the matter is mistaken through the default of those that made the certificate for mr. Fox out of the registers of Gloucester and Worcester; for it cannot be proved that any such person or woman suffered at Wotton aforesaid. But it is true that one Edward Horne suffered martyrdom at Newente in the said diocesse, and was burned there in a place caled the Court Orchard near the churchyard; and his wife was condemned with him, but she recanted and refused to suffer with him. I have bine at the place and spake with one or ij of the same parish that did se him there burnt, and do testifie that at his death he sunge the 146. psalme, untill that his lips were burnt away, and then he sawe his tonge move untill he fell downe in the fier. They of the parish do say they knowe the ij persons that made the fier to burn him, and they weare ij glovers or fell-mongers, whose names I have in my note-booke. He was executed about viij weekes before queene Mary died.

The sonne of this martyr is now livinge in the same parish, and caled Christopher Horne, an honest poore man, being about 78 or 79 yeres, and borne in queene Maries tyme, about a quarter of a yere before his father suffered. His mother, that promised to suffer with hir husband and recanted after she was condemned, was after married

⁵⁵ Quoted by Nichols, *op. cit.*, p. 69.

⁵⁶ *Ibid.*

to one Whocke of the parish of Teynton, within a myle or 2 of Newent, where her first husband was borne; et hoc ex relatione ejusdem Christopheri Horne,

By me John Deighton.

I wish for the reverence I beare to the memory of Mr. Fox, whose person and place of dwelling I knew, and the honor and love I beare to his works, that this smale error, which is none of his, weare amended.

If Deighton was right in his assertions, Foxe made three erroneous statements: 1. He was wrong as to the date of Horne's martyrdom, which occurred, not in 1556, but in 1558, "about viij weeks before queene Mary died." 2. He was wrong as to the Christian name of the victim. 3. He was wrong about a woman being burned together with Horne. But one cannot be sure that Deighton was right, for, as Strype points out,⁵⁷ this gentleman made his investigation about eighty years after the event is said to have taken place, and in the course of three generations one may expect a community's knowledge of local history, which at that time was for the most part passed on by word of mouth, to become rather vague and confused. Besides, Deighton relied chiefly upon the testimony of an old man who at the time of the incident was scarcely three months old. Strype seems to believe that both Foxe and Deighton are right, each referring to a separate event. At any rate, it is difficult to reach a decision in the matter.

Here, then, if we accept Deighton's testimony, are two errors of fact in Foxe's account of persecution under Henry and Mary. When it is borne in mind that, including the Lollard and Henrician martyrs, Foxe discusses well over three hundred cases of death by fire, it must be conceded that the percentage of error in this respect is remarkably low, especially in view of the difficulties confronting a sixteenth-century chronicler. No doubt there are more errors than the two mentioned here—as there are no doubt a number of omissions of martyrs in the *Acts and Monuments*—but no one has thus far succeeded in discovering them, despite the industrious and repeated search for mistakes. Some of Foxe's critics do not hesitate to make assertions even broader than those which they condemn in the *Book of Martyrs*, but mere assertions prove nothing. Thus, J. M. Stone, after mentioning the cases of Marbeck and Horne, goes on to say that "such instances might be pointed out *ad*

⁵⁷ *Ecclesiastical Memorials*, III, pt. ii, p. 137.

infinitum.”⁵⁸ But she fails to point out even a single one. To be sure, elsewhere in her essay on *Foxe's Book of Errors*, she casts doubt upon the “tragical, lamentable, and pitiful history, full of most Cruel and Tyrannical Murder” concerning three women of Guernsey.⁵⁹ The author's remarks are worth quoting because they are typical of much of the criticism to which Foxe has been subjected:

The horrible story of the “martyrdom” of three women of Guernsey rests entirely on Foxe's authority. It was immediately contradicted. Foxe replied, and Father Parsons refuted his reply. It transpired on investigation that all three women were hanged as thieves, their bodies being afterwards burned; one of them had led an openly immoral life.

If it “transpired on investigation” that all three women were first hanged as thieves and then burned as heretics, Foxe may be pardoned for giving them a place in his history of those upon whom the statute *De haeretico comburendo* was carried out. The objection here is not so much to the statement by Foxe that these wretched creatures were burned as to his calling them martyrs.

It is not, therefore, questions of fact with which the critic of Foxe has primarily to deal; rather, it is questions of interpretation. And this is the rock upon which many attempts to evaluate the *Acts and Monuments* have come to grief. Interpretation is largely a matter of personal opinion. If one happens to sympathize with the cause advocated by Foxe, one is likely, for example, to consider Tewkesbury a hero of the faith; if, on the other hand, one's sympathies are with the cause defended by Thomas More, one is apt to call him, as More did, a “stinking martyr.”⁶⁰ The first law of historical interpretation is not to judge but to explain. In order to give the *Book of Martyrs* its due, it is necessary to appreciate what Foxe meant by persecution and martyrdom.

At the bottom of the *Acts and Monuments* is the profound conviction that the church of Rome is the church of Anti-Christ, dedicated to the evil designs of Satan and opposed to every manifestation of the truth. In one of the prefaces to the work Foxe distinguishes between “the Church of Rome that now is and the Church of Rome that then was”⁶¹ and argues that

⁵⁸ *Op. cit.*, p. 261.

⁵⁹ VII, p. 226 sq.

⁶⁰ Smith, *op. cit.*, p. 299.

⁶¹ I, p. 3.

the latter had departed from the former in four points: 1. The title of the pope; 2. The jurisdiction of the pope; 3. The lives of the Roman clergy; and 4. The doctrine of the pope. To Foxe, as indeed to all the Protestant historians of the sixteenth century, the church, in her development, passed through three stages: formation, deformation, and reformation. It was during the second stage that the church, forsaking the apostolic purity and simplicity, arrogated to herself powers and privileges for which she had no warrant in the Scriptures. But even during this period of deformation there was found a "remnant in Israel," a succession of enlightened and courageous men and women who refused to bow the knee to Baal and who raised their voices in protest against the growing worldliness of the church. They refused to acknowledge the pope as the vicar of Christ upon earth; they denied that he had been appointed the custodian of either the temporal or the spiritual sword; they testified against the introduction of doctrines and practices which they considered pagan in origin and foreign to the letter and the spirit of the New Testament; they would have nothing to do with the worship of saints or their images, with pilgrimages and shrines, and with other practices that seemed heathenish to them; they denied the doctrine of transubstantiation and, relying upon faith alone, they rejected the validity of merits obtained through penance; in brief, their desire was to cleanse the church of her false doctrines and wicked practices and to restore her, if possible, to her pristine condition.

To the church, of course, these people were heretics who needed to be disciplined, but to Foxe they constituted the true church of Christ and, to the extent to which they were subjected to ecclesiastical punishment, they were the successors of the primitive martyrs, to whom he devotes the first book of the *Acts and Monuments*. What these people did, in the opinion of Foxe, was precisely what Paul and Peter had done. Considering it their duty to obey God rather than man, they resisted the authority of the church where it conflicted with their own consciences. They might not be agreed on every point of doctrine, their own private lives might be far from exemplary, they might even be mentally unbalanced, as long as they testified against Anti-Christ and were persecuted for their testimony, Foxe was ready to grant them a place in his roster of "true martyrs," for, as he pointed out, "to die a heretic with the

papists, what is it else (to say the truth) but to die with God a martyr?"⁶²

Nothing could be easier than to show that Foxe was often inconsistent, that he had some queer notions about godliness, that he elevated a number of idiots and scoundrels to the rank of sainthood,⁶³ and that in his work there is many a *suppressio veri* and *suggestio falsi*, but in the final analysis all this is largely a matter of personal opinion and not of demonstrable fact. The simple fact is that from the beginning of the fifteenth century to the death of Mary hundreds of people were burned at the stake for heresy under a law for which the church was no less responsible than the state. An impartial investigation of the *Acts and Monuments* leads one to the conclusion that in his martyrologies Foxe has given a fairly accurate description of a horrible episode in the history of civilization. What if the picture is somewhat darker than the reality which it is intended to portray? And what if it is lacking in perspective and refinement of detail? It is the best picture that we have, one which, if viewed critically and in the proper light, helps one to visualize an important scene in the drama of human history. And for this service, whatever his shortcomings may be, Foxe has made posterity his debtor.

⁶² IV. p. 201.

⁶³ For a study of some of Foxe's martyrs, see S. R. Maitland's *Essays on Subjects Connected with the Reformation*.

SOURCES OF JEFFERSON'S ECCLESIASTICAL VIEWS

ROYDEN J. MOTT

Oberlin Graduate School of Theology

Disestablishment of the church and religious liberty in Virginia were achievements of the democratic movement of the Revolutionary period, but they were not by any means mere by-products of American independence.¹ It should be remembered that ecclesiastical home-rule had been the forerunner of complete political independence, and that after the famous "Parson's Case" of 1763 colonial autonomy in church affairs was assured.² Independence, therefore, did not necessitate disestablishment. In spite of the acute opposition to the Establishment before 1775, due to the rapid spread of the Baptists throughout the state,³ it was maintained until 1779, its aboli-

1 H. J. Eckenrode points this out in his "Separation of church and state in Virginia, a study in the development of the Revolution." in *Annual Reports of Officers and Institutions of the Commonwealth of Virginia, 1908-1909*, Richmond, Virginia, 1909, *Report of the State Librarian*, p. 91. Cf. J. F. Thorning, S. J., *Religious Liberty in Transition . . . New England*, Washington, D. C., 1931, Introduction, pp. 2f. Professor F. W. Buckler has offered a suggestion which might be inserted at this point to the effect that since the king was patron of the Colonial Establishment, after American independence was secured the lay trustee became the residuary legatee of the crown's patronage, and so of the royal supremacy and establishment of the church. It is significant that trusteeship exists under state rights and as Alexander Hamilton pointed out, on the recognition of independence, sovereignty went a-begging and the states assumed it.

2 The attack of Richard Bland and Patrick Henry on the king's exercise of his veto against the "Twopenny Act" of 1758 brought to the fore the political significance of the "Parson's Case." The appeal of the clergy to the royal prerogative in this conflict with the civil power of the colony involved the issue of the extent of British authority in colonial affairs. "The conflict decided the long-debated question whether the control of the establishment lay finally with assembly or the British officials." Eckenrode, *op. cit.*, pp. 20 ff: *vide* also his *The Revolution in Virginia*, New York, 1916, pp. 9-15. On the independence of the house of burgesses and of the vestries in the matter of toleration *vide* Henry R. McIlwaine, "The struggle of Protestant dissenters for religious toleration in Virginia," in *Johns Hopkins University Studies in Historical and Political Science*, Baltimore, 1894, 12th series, pp. 179, 192, 215, 222, *et passim*.

3 *Vide* William T. Thom, "The struggle for religious freedom in Virginia: the Baptists," *loc. cit.*, 1900, 13th series pp. 484-571, and map showing spread of the Baptists through the colony between 1770-1776; also William Warren Sweet, *Religion on the American Frontier—the Baptists, 1783-1830*, New York, 1931, pp. 9-15. The movement for a wider toleration began before the Revolution. In 1769 the house of burgesses instructed the Committee on Religion "to prepare

tion was stubbornly resisted by conservative elements in Virginia,⁴ and full religious freedom did not become law until 1786.⁵ The solution of the relation of church and state consequently awaited the new order.

To Thomas Jefferson belongs the chief credit for the solution which was ultimately reached.⁶ He not only from 1776

and bring in a Bill for exempting his majesty's Protestant Dissenter from the penalties of certain Laws." No bill was brought forward though the same instructions were given the committee at the next session. With the intensifying of the democratic feeling during the Revolution, not toleration but religious liberty became the demand. Eckenrode, "Separation of Church and State in Virginia," p. 39.

4 Jefferson gives 1779 as the date when disestablishment was accomplished. Eckenrode considers that disestablishment was practically effected when the temporary suspension of assessments and the exemption of dissenters from the paying of tithes were enacted in 1776, but his contention that "Jefferson's act of 1779 settled nothing" is questionable. The series of suspensions of assessments in 1776, 1777, 1778 were temporary war measures. The act of 1779 perpetuated these and thus settled the issue of the support of an exclusive establishment. When the question of assessments again came forward in 1784 it was for the support of religion in general. As a matter of fact, disestablishment was not fully accomplished until the control of the Episcopal Church by the legislature, as well as state support, was removed and given to the clergy. Meanwhile, without state support yet under state control the establishment lingered on. "It would have been better for the Anglican Church if separation of church and state had been completed in 1776. It would have been free to organize itself in accordance with new conditions." Eckenrode, *ibid.*, p. 64. It may be added that had Episcopalianism been free to organize itself early in the Revolution, the Methodist schism, threatened in 1778-1780, actualized in 1784, might have been avoided.

5 The fact that a Bill for Establishing Religious Freedom was deemed necessary in 1786, ten years after Article XVI of the Virginia Bill of Rights had placed the principle of religious liberty in the constitution of Virginia, is significant. The bearing of Article XVI on the relation of church and state was far from clear, and, as the purpose underlying the proposal of a general assessment shows, many believed that it did not prejudice the case for a comprehensive union of the two.

6 This statement has been questioned on the ground that chief credit belongs to the Baptists. I speak here, of course, concerning individual political leadership. The Baptists as a body of dissent in Virginia created the problem, raised the demand for religious liberty and were its most consistent and effective advocates. Among them might be named John Leland as an outstanding leader. *Vide* Wm. B. Sprague, *Annals of the American Pulpit* . . . New York, 1860, vol. VI pp. 175-176, 184; Charles F. James, *Documentary History of the Struggle for Religious Liberty in Virginia*, Lynchburg, Va., 1900, pp. 32, 38, 50, 115, 122 *et passim* for Baptist petitions; pp. 86, 146, 171, for the work of John Leland. For Jefferson's replies to letters from Baptists expressing their appreciation and confidence in his leadership in the struggle for religious liberty, *vide* pp. 174-176. The work, however, of James Madison, an Episcopalian who knew far more about theology than did Jefferson, must not be overlooked. His effective opposition to Patrick Henry who came forward as the champion of a general assessment, and his *Memorial and Remonstrance* were decisive in turning popular opinion against the proposal. The principle of assessments for religion, he pointed out, meant the interference of the law in religion which always resulted in evil. If Christianity could be established, then so could a single sect. Religion should be entirely free of the state. *Vide*, *The Writings of James Madison, comprising his public papers and private correspondence* . . . edited by Gaillard Hunt, New York, 1900-1910, Vols. I, pp. 208, 213, II pp. 58, 132, 183, 212, *et passim*; Eckenrode, *op. cit.*, 83, 99, 104, 129 *et passim*.

until his mission to France led the legislative struggle for disestablishment, but also, as author of the Bill for Establishing Religious Freedom, formulated the principles on which the new relation of church and state rested. That he himself fully appreciated the issues involved is evident from the fact that in his opinion the Bill for Religious Freedom ranked in importance with the Declaration of Independence.⁷ While the latter marked the emancipation from civil despotism, the former signaled liberation from ecclesiastical tyranny.

An examination of those of his views which bear directly upon questions of religion, of church and state, and of civil and religious rights brings to light the three principles fundamental to this solution which has become the American theory of church and state. First, Jefferson finds in his conception of religion as morality the basis for the widest kind of religious toleration.⁸ Second, he finds in natural law the source of religious as well as civil liberty.⁹ Third, this natural right to free religious opinion now combines with the principle that *morality* is the only test of the validity of a religion to produce the principle, *viz.*, that a sound morality has sound social consequences, and an unsound morality has unsound social consequences, but it is not the right of the state to interfere until unsound morality has shown itself *overtly*. As he says in his Preamble to the Bill for Religious Freedom, "it is time enough for the rightful purposes of civil government for its offices to interfere when principles break out into overt acts against peace and good order."¹⁰ Clearly, Jefferson's solution is primarily that of a

⁷ *The Works of Thomas Jefferson, collected and edited by Paul Leicester Ford*, New York, 1904, Vol. II, p. 438, note 1.

⁸ His practical temperament, plus an early Calvinistic training, plus the eighteenth century commonsense philosophy are the ingredients of his view. The last element seems to have made its first impact through the reading of Bolingbroke; *vide* Gilbert Chinard, *Thomas Jefferson—the Apostle of Americanism*, Boston, 1929, pp. 21f. It should be noted, however, that Jefferson rejects Helvetius' utilitarian basis for morals: Jefferson posited a moral instinct. *Ibid.*, pp. 523-525.

⁹ *Vide* "The Bill for Establishing Religious Freedom" in the Ford edition, Vol. II, pp. 438 ff.

¹⁰ The preceding clause reads, "that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on the supposition of their ill tendency is a dangerous fallacy, which at once destroys all religious liberty." *Ibid.*, p. 440. The point is well illustrated in the distinction which the law draws between the practice of polygamy and the Mormon doctrine of "celestial" marriages, forbidding the former but not interfering with the latter. A Mormon may by "celestial" marriages provide for a harem in eternity, but may not thereby have more than one terrestrial marriage at any one time. *Vide* Carl Zollmann, "American Civil Church law" in *Columbia University Studies in History, Economics and Public Law*, New York, 1917, Vol. LXXVII, No. 181, p. 18.

lawyer rather than of a philosopher, and his crucial argument is a legal one.

As Philip Schaff long ago pointed out in his paper on the church and state in the United States, the American theory of their relationship, being one of religious liberty and not merely of toleration,¹¹ differs fundamentally from the solutions of the Reformation and of the French Revolution. Both of these, from the standpoint of a state religion on the one hand and of a state irreligion on the other, made concessions to non-conformity only in so far as it was necessary.¹² Such, of course, had been the Virginia solution, also, until it was revised on the new basis of natural rights.¹³ Now, as the view that Jefferson was either an atheist or under atheistic influence goes to show,¹⁴ this distinction between toleration and religious liberty is frequently overlooked. Hostility to religion and the church wrought separation in France, but Jefferson was himself religious, frequented the churches and contributed to their support, and his stand for religious liberty was characterized by sympathy for religion, not by antipathy.¹⁵ He insisted, however,

11 Philip Schaff, "Church and state in the United States," in American Historical Association *Papers*, New York, 1889, Series II, No. 4, pp. 21-22, 45 ff. This theory was as much at odds with New England Congregational churchcraft as with the Anglican polity of Virginia. Roger Williams, to whom "it was revealed that civil government had no concern to enforce 'the laws of the first table,'" did not find Massachusetts congenial. Leonard W. Bacon, *A History of American Christianity in American Church History Series*, New York, 1901, Vol. XIII, p. 101. The New England form of *Respublica Christiana*, while eventually more tolerant than other church establishments, was the offspring of an English Puritanism which had demanded doctrinal uniformity. Williston Walker, *A History of the Congregational Churches in the United States*, loc. cit., Vol. III, p. 86.

12 The return to the territorial state-church resulted in an international toleration, but the formula *cujus regio, ejus religio* subjected religion to political necessity. Bossuet maintained that Catholics and Protestants agreed on the right of the civil power to persecute. W. K. Jordan, *The Development of Religious Toleration in England*, Cambridge, 1932, pp. 19, 35, 40, et passim. Cf. John N. Figgis, *Studies of Political Thought from Gerson to Grotius, 1414-1625*, Cambridge, 1923, pp. 96, 100-102, 115.

13 On toleration in Virginia before the Revolution, vide McIlwaine, *op. cit.*, pp. 175-235. "The extreme provisions of the law [against dissenters] soon became inoperative," he says (p. 234): but Charles F. James, *op. cit.*, pp. 26 ff., gives documents illustrating the persecution of the Baptists.

14 An unevangelical type of religion, combined with the hostility toward Jefferson on the part of the defenders of the establishment, and the identification of political liberalism with French atheism, especially in reactionary Europe after the French Revolution—these three factors conspired to gain for him an undeserved reputation as an atheist. Vide Chinard, *Thomas Jefferson*, pp. 519-520.

15 His independence of any sect should not be interpreted as unfriendliness toward the church and religion. Vide *ibid.*, pp. 103ff., for evidence on his financial support of the church. Cf. Henry S. Randall, *The Life of Thomas Jefferson*, Philadelphia, 1865, Vol. III, pp. 553 ff.

on a "wall of separation between Church and State,"¹⁶ since he believed that each had its own legitimate function in society, but that their union was politically unsound. This was, in the first instance at least, a legal and political conviction, acquired through the application of his observations from legal and historical studies to the problem before him.

It is at this point that the present paper on the sources of Jefferson's ecclesiastical views relates itself to recent studies in the genesis of his political system. We have, of course, the more general studies of the relation of eighteenth century political thought to Calvinistic political theory of the two preceding centuries.¹⁷ The affinity of American Revolutionary doctrine to this wider field has been especially well indicated by Carl Becker.¹⁸ More particularly, M. C. E. Merriam Jr., in 1902 wrote a study of "The political theory of Jefferson" in the *Political Science Quarterly*, and D. S. Schaff in a paper before this Society on the Bellarmine-Jefferson legend pointed to Locke and the Calvinistic political thinkers behind him as the real fountain-head of Jeffersonian democracy.¹⁹ The most thorough investigations of this particular problem have been made by Gilbert Chinard. Of considerable value for the task at hand is his conclusion that Jefferson, although a philosopher, was before all else, "a jurist and a historian of law"²⁰ who was in debt least of all to the French "*philosophes*," somewhat more to John Locke and other English thinkers, but chiefly to the Scottish jurist, Lord Kames.²¹ But even more important for

16 To the Danbury Baptists, in the Washington edition of his Writings, Vol. VIII, p. 113; cf. note in the Ford edition, Vol. VIII, p. 129 on this letter.

17 E. g., H. D. Foster, "Political Theories of the Calvinists before the Exodus to America," in *American Historical Review*, New York, 1915-16, Vol. XXI, pp. 481 ff; and his "International Calvinism through Locke and the Revolution of 1688," *loc. cit.*, 1926-27, Vol. XXXII, pp. 475 ff.

18 Carl Becker, *The Declaration of Independence—a Study in the History of Political Ideas*, New York, 1922, especially chap. ii, "Historical antecedents of the Declaration of the natural rights philosophy," pp. 24-79.

19 M. C. E. Merriam Jr., "The political theory of Jefferson," in *Political Science Quarterly*, New York, 1902, Vol. XVII, pp. 24 ff. D. S. Schaff, "The Bellarmine-Jefferson Legend and the Declaration of Independence," in *American Society of Church History Papers*, New York, 1928, 2nd series, Vol. VIII, 239-276. The legend dates from an article by Gaillard Hunt in the *Catholic Historical Review*, October, 1917, pp. 276-289.

20 Chinard, *Thomas Jefferson*, p. 101.

21 Vide Alexander Fraser Tytler of Woodhouselee, *Memoirs of the Life and Times of the Honorable Henry Homes Kames . . .*, Edinburgh, 1814, 3 vols. Kames (1696-1782) considerably influenced American political thought through his *Historical Law Tracts*, first published in 1758. Cf. *ibid.*, Vol. I, p. 336, Vol. II, p. 14, for Franklin's correspondence with Kames.

our purpose are Chinard's critical editions of Jefferson's *Commonplace Book* and *Literary Bible*, making available at last the careful notes, references and extracts which Jefferson made before 1776 while studying.²² These notes are invaluable for the definite evidence which they give as to what writers and what of their writings most appealed to the mind of Jefferson. Availing ourselves, then, of these self-revealing notes, our task is to present a summarization of the legal and historical studies by means of which he was led to his solution of the separation of church and state on the basis of religious freedom.

An economic interpretation of the disestablishment in Virginia would emphasize the popular discontent caused by the ecclesiastical levies.²³ This was of course an important factor. Jefferson's attention was probably turned to the problem of the state-church by Patrick Henry's eloquent invective against clerical privileges, delivered in the "Parson's Case" which had originated in the quarrel over assessments.²⁴ Also, Jefferson won his first victory in the fight for disestablishment when in 1776 the Virginia Assembly allowed exemption to dissenters "from contributing to the support of the established church,"

22 "The Commonplace Book of Thomas Jefferson, a Repertory of his Ideas on Government with an Introduction and Notes" by Gilbert Chinard in *Johns Hopkins Studies in Romance Literatures and Languages*, Baltimore, 1926, extra vol. II, and *The Literary Bible of Thomas Jefferson—his Commonplace Book of Philosophers and Poets, with an Introduction* by Gilbert Chinard, Baltimore, 1928. Chinard in his introduction to the *Commonplace Book* says that it "may well be considered as the most important document available for the study of the historical and political background of Jefferson at the time he wrote the Declaration of Independence. It does not represent Jefferson's complete range of reading, and it will be noticed that purely literary and philosophical matters receive little attention in it. The extracts he made from Greek, Latin, English and French poets and from ancient and modern philosophers he set down in a smaller book (*the Literary Bible*)." Introduction, pp. 52-53. For Chinard's summary of his conclusions on the question of the date of this document *vide* pp. 13-14. Concerning the *Literary Bible* he writes, "If, as we believe and hope to show, this much thumbed little book was compiled by Jefferson during his student days, it could rightly be called: 'Jefferson self-revealed.' For it contains the maxims and principles which so impressed his plastic mind, that by them he was to govern the rest of his life." *Literary Bible*, p. 3. Important documents are also printed in Ford's edition of Jefferson's *Writings*; *vide* especially Vol. II, pp. 16-35 for his argument in an ecclesiastical case.

23 The financial burden of the war prompted the exemptions and suspensions of tithes. The poverty of the state after the war contributed to the defeat of the measure for a general assessment in 1785. *Vide* Hugh B. Grigsby, "The history of the Virginia Federal Convention of 1788, with some account of the eminent Virginians of that Era who were Members of the Body," in the *Virginia Historical Society Collections*, Richmond, Virginia, 1891, new series, Vol. X, pp. 124-125.

24 G. Chinard, *Thomas Jefferson*, pp. 14-15. Trevelyan's account of Henry's speech is given in W. W. Henry, *Patrick Henry, Life, Correspondence and Speeches*, New York, 1891, Vol. I, pp. 39-42.

and suspended until the next session, "levies on the members of that church for the salaries of their own incumbents."²⁵ Jefferson's notes show that he had inquired carefully into the whole question of assessments and tithes, tracing their history to their inception. As early as 1771 he took the opportunity, while arguing the "Goodwin et al. vs. Lunan Case," to comment on the origin of tithes in England.²⁶ He observed:

The King, his great Lords and thanes, for the accomodation of their tenants, having built churches on their manors, obliged their tenants to pay tythes to these churches: for though a law of Ethelwolf, so early as the year 854 (Hume's History of England) had given tythes to the clergy, yet it left the people at liberty to pay them where and to whom they pleased; a grievance to the drones among the ecclesiastics, not entirely rectified till a law of King Edgar, c. 1. obliged them to pay them to the mother church of the parish.²⁷

Reading Sullivan's *Historical Treatise*, he notes that "in the infancy of the Christian Church . . . the clergy was supported by the voluntary contributions of the people."²⁸ It was not until about the fourth century that "tythes began to be preached up by the clergy."²⁹ "The Author," Jefferson comments, "then proceeds to give a good history of the introduction of tythes in the other Christian countries as well as England and also of Modusses."³⁰

But tithes were only one form of priestly usurpation and judging from citations and extracts in his *Commonplace Book*, Jefferson could have written a short history on the theme. For this he would have drawn upon his readings of Sullivan and Hume (though he disliked their principles),³¹ Milton, Locke, and numerous authorities on ecclesiastical and civil law. Reading Milton he had noted that "St. Peter gave the title of clergy

25 Jefferson's Memoir in *Memoir, Correspondence, and Miscellanies from the Papers of Thomas Jefferson*, edited by T. J. Randolph, Boston, 1830, Vol. I, p. 32.

26 This argument is given in Ford's edition, Vol. II, pp. 16-35, reprinted from Jefferson's *Reports of Cases in the General Court*. The question at issue was the competency of the General Court to act as a court of visitation. Jefferson argued that it possessed the authority and the court so adjudged the matter.

27 *Ibid.*, pp. 17-18.

28 *Commonplace Book*, No. 768, p. 244, notes taken from Francis Stoughton Sullivan, *An Historical Treatise on the Feudal Laws and the Constitution and Laws of England . . . in a course of lectures read in the University of Dublin*, London, 1772.

29 *Ibid.*, No. 769, p. 245.

30 *Ibid.*, pp. 245-246.

31 Concerning Sullivan, Jefferson wrote: "he shows himself to have imbibed principles unfriendly to the rights of mankind and favorable to the divine rights of the king and clergy." *Ibid.*, No. 767 p. 244. Jefferson used the information which Hume gave, but detested his principles: *vide ibid.*, pp. 12-13.

to all God's people,"³² that bishops originally were popularly elected,³³ and "had no certain diocese till pope Dionysius about the year 268 did cut them out."³⁴ Sullivan's summary of the process by which election finally passed over entirely into the control of the clergy is extracted along with his account of the investiture controversy in which "the popes generally prevailed; for they had now set up a claim to the nomination as supposing themselves the feudal lords of all churchmen."³⁵

Jefferson appears to have had little liking for bishops, reflecting no doubt the colonial distrust of an imposed episcopate of baronial rank. In the "Goodwin Case" he represented "the presentative class of churches" as an outgrowth of encroachments made by the bishops on the original donatives.³⁶ Similarly, the right of visitation in the presentative churches "seems to have been inroached upon, when the right of approving the nominees was first acquired by the bishops."³⁷ Contrasting modern and

32 "St. Peter gave the title of *Clergy* to all God's people till pope Higinus and ye succeeding prelates took it from them and appropriated it to priests only. 1. Milt. 230." *Ibid.*, p. 384, and Bk. I., edition uncertain. The notes given in the appendix of the *Commonplace Book*, pp. 377-389 are also to be found in the Ford edition, Vol. II, pp. 252-268, under a little different arrangement. A part of them are endorsed, "Scraps early in the Revolution," and Ford thinks they may have been notes made for speeches in the legislature on religious liberty, *ibid.*, p. 252, footnote 1.

33 *Commonplace Book*, 384-385. Jefferson also quoted from the *Apostolic Constitutions* on this topic, *ibid.*, No. 863, p. 345; likewise from Sullivan, "The bishop was chosen by the clergy and people at large. This method was so firmly established that when the emperors became Christians, and made great donations of lands to the church, they left the right of election where they found it, and so it continued in Rome until the year 1000 a (*sic*) least; but popular election being productive of much brigue, cabal, and irregularity the clergy and emperors concurred in remedying the evil, which was at length effected by excluding the laity gradually and confining the election to the ecclesiastics. Many of the emperors indeed struggled hard to get the nomination to themselves, but the clergy proving too powerful for them, they obtained at most but a power of recommendation." *Ibid.*, No. 768, pp. 244-245; cf. his comment in No. 767, p. 244.

34 *Ibid.*, p. 385.

35 "In the Northern kingdoms as the lands given by the princes to the bishops were held of them, they possessed the right of investiture. This seemed to clash with the clerical right of election and produced struggles through all Europe till about the year 1200, when the popes in general prevailed; for they had now set up a claim to the nomination as supposing themselves the feudal lords of all churchmen. From this time and more especially since the reformation their power has been declining, and in England particularly the king is confessedly possessed of the patronage or advowson of bishoprics, tho' a form of ecclesiastical election is still kept up. *Sull. Lect. 8.*" *Ibid.*, No. 768, p. 245.

36 Ford, *op. cit.*, p. 18.

37 *Ibid.*, p. 21. Cf. Jefferson's criticism of Sullivan's view of the origin of advowsons: "The author then proceeds to show the origin of the rights of advowson as possessed by laymen; but his account of them is neither ingenious nor probable. He would make us believe that all those rights are usurpations on those of the clergy; though the proofs of the reverse are numerous and incontestable . . ." *Commonplace Book*, No. 767, p. 244.

primitive bishops he copied out Milton's biting comparison: "A modern bp to be moulded into a premature one must be elected by the people, undiocest, unrevenued, unlorded."³⁸ What looks to be a summary of paragraphs from Milton's *The Reason of Church-Government urged Against Prelaty* is worth quoting here:

Another plea for Episcopal governmt in Religion in England is its similarity to the political governmt by a king. No bishop no king. This then with us is a plea for governmt by a presbytery which resembles republican governmt. The clergy have ever seen this. The bishops were alwais mere tools of the crown.³⁹

Then follows a paragraph, from Book II, chapter III of the same work, on the congeniality of the Presbyterian spirit "with friendly liberty."⁴⁰ Let it not be supposed, however, that Jefferson's fear of episcopal power made him kindly disposed toward Presbyterian domination. He was as adverse to the machinations of the one as of the other, and he was conscious of a certain Presbyterian ambition to dominate. For him presbyter was but priest writ large. So he writes in 1822 concerning them,

The ambition and tyranny of the Presbyterians would tolerate no rivals if they had the power. Systematical in grasping at the ascendancy over all other sects, they aim, like the Jesuits, at engrossing the education of the country, are hostile and jealous of different institutions unless under their control and jealous at seeing others begin to attend at all to that object.⁴¹

He does not seem to have needed literary sources for this particular observation.

Even more germane to the problem of church and state for Jefferson, the lawyer, were his observations on the relation of religious to civil law. He had read Montesquieu's *L'Esprit des Loix* and on this topic copied the following: "*On ne doit point statuer par les loix divines ce qui doit l'être par les loix humaines, ni régler par les loix humaines ce qui doit l'être par les loix*

³⁸ *Ibid.*, p. 385.

³⁹ *Ibid.*, p. 384.

⁴⁰ His note reads: "The Presbyterian spirit is known to be so congenial with friendly liberty, that the patriots after the restoration finding that the humour of people was running too strongly to exalt the prerogative of the crown, promoted the dissenting interests as a check and balance and thus was produced the Toleration Act." *Ibid.*

⁴¹ To Thomas Cooper, November 2, 1822, given in Randolph, *op. cit.*, Vol. IV, p. 358. Cooper had written concerning fanaticism in Pennsylvania. Jefferson replying, laid the blame upon the Presbyterians.

divines."⁴² The confusion of the two in the common law of England Jefferson regarded as clear evidence of the duplicity of judges and clergy. His original studies of this question occupy approximately ten pages in the *Commonplace Book* and are reproduced many years later in a letter to Thomas Cooper.⁴³ His principal authorities appear to have been Fortescue Aland, "Houard," Matthew Hale, Blackstone and other lawyers. He admits that "the Ecclesiastical law, so far as admitted in England derives its authority from the Common law," but not so for the Bible.⁴⁴ Examining the history of the question, he argues as a lawyer,

42 Cited in *Commonplace Book*, No. 797, p. 291. No. 797 continues: "*La loiz de la religion ont plus pour objet la bonté de l'homme qui les observe, les loiz civiles, la bonté morale des hommes en général. Ainsi les idées qui naissent immédiatement de la religion, ne doivent pas toujours servir de principe aux loiz civiles; parce que celles-ci en ont une autre, qui est le bien général de la société. . .*" Taken from *L'Esprit des Lois*, L. 26, chap. 9.

43 *Commonplace Book*, Nos. 872, 873, 879, pp. 349-363 *passim*: No. 872 is a note on the observance of the Sabbath in Common law. No. 869, pp. 346-349, on the meaning and origin of the Common law should also be noted. Jefferson's letter to Cooper is given in the Ford edition, Vol. I, pp. 453-464, and also in the Memorial edition, Vol. XIV, pp. 85 ff. He says of these notes: "In my letter of January 16, I promised you a sample from my common place book, of the pious disposition of the English judges, to connive at the frauds of the clergy, a disposition which has often rendered them faithful allies in practice. . . I now enclose you the extract from these entries which I promised. They were written at a time of life when I was bold in the pursuit of knowledge, never fearing to follow truth and reason to whatever results they led, and bearding every authority which stood in their way. This must be an apology, if you find the conclusion bolder than historical facts and principles will warrant." Ford edition, Vol. I, pp. 453-454, footnote. In a later letter to Everett (1824) Jefferson says that he took up this subject of the origin and history of the Common law, "while still a practitioner of the law." Chinard concludes from this that it was probably undertaken at "a period when he was still interested in the study of the law. This would particularly fit the time when he was working on the revision of the statutes of Virginia, in 1776." Introduction, p. 11.

44 *Commonplace Book*, No. 873, p. 352. Professor Buckler has called my attention to the fact that in this point he anticipated Maitland who points out, "Never in England, nor perhaps in any other country, did the state surrender to the ecclesiastical tribunals the whole of that illimitable tract which was demanded for them by the more reckless of their partisans." F. W. Maitland, *Roman Canon law in the Church of England, Six Essays*, London, 1898, p. 56. I quote more fully from the notes which Jefferson made, for the passage is highly illustrative of his method of thought and study. After citing a case which involved the question of the right of a patron to present to his advowson, the defendant being the Bishop of Lincoln, Jefferson notes: "A question was how far the Ecclesiastical law was to be respected in this matter by the Common law court? and Prisot C. J. on the course of his argument uses this expression: 'a tiels leis que ils de seint eglise ont en ancien scripture, covient à nous a donner credence; car ceo Common ley sur quel tous manners leis sont fondes et auxy Sir, nous sumus obliges de conustre leur ley de saint eglise; et semblablement ils sont obliges de conustre notre ley, et Sir, si poit apperer or a nous que l'evesque ad fait come un Ordinary fera, en tiel cas, adonc nous devons ceo adjudger bon, ou autrement nemy, etc.' . . . Finch mistakes this in the following manner 'to such laws of the church as have warrant in *holy scripture*, our law giveth credence',

If therefore from the settlement of the Saxons to the introduction of Christianity among them that system of religion could not be a part of the Common law, because they were not yet Christians, and if, having their laws from that period to the close of the Common law, we are able to find among them no such act of adoption, we may safely affirm (tho' contradicted by all the judges and writers on earth)

and cites the above case and the words of Prisot in the margin. Finch's *law* B. 1. c. 3. published 1613. Here we find 'ancien scripture' converted into 'holy scripture' whereas it can only mean the antient written laws of the church. It cannot mean the Scriptures 1. Because the 'ancien scripture' must then be understood to mean the bible in opposition to the new testament and to the exclusion of that would be absurd, and contrary to the wish of those who cite this passage to prove that the scriptures or Christianity is a part of the Common law. 2. Because Prisot says 'ceo [est] Common ley sur quel tous manners leis sont fondees.' Now it is true that the Ecclesiastical law, so far as admitted in England derives its authority from the Common law, but it would not be true that the scriptures so derive their authority. 3. The whole case and arguments shew that the question was how far the Ecclesiastical law in general should be respected in a Common law court; and in Bro. abr. of this case Littleton says 'les juges del common ley prendra conusans *quid est lex ecclesiae vel admiralitatis et hujusmodi*'. 4. Because the particular part of the Ecclesiastical law then in question, viz. the right of the patron to present to his advowson not founded on the law of god, but subject to the modification of the law-giver and so could not introduce any such general position as Finch pretends. Yet Wingate [in 1658] thinks proper to erect this false quotation into a maxim of the common law, expressing it in the very words of Finch, but citing Prisot. Wing. Max. 3. Next comes Sheppard [in 1675] who states it in the same words of Finch, and quotes the Y. B. Finch, and Wingate. 3 Shep. abr. tit' *Religion*. In the case of the King and Taylor, Sr Matthew Hale lays it down in these words 'Christianity is a parcel of the law of England.' 1. Ventr. 293. 3. Kel. 607. but he quotes no authority. He was a sound lawyer when not biased by his belief in Christianity or Witchcraft, in both of which his faith was very perfect. He is famous for hanging witches. So strong was this doctrine become in 1728, by additions and repetitions from one another that in the case of the king v. Woolston the court would not suffer it to be debated whether to write against Christianity was punishable in the temporal courts at *Common law*, saying it had been so settled in Taylor's case ante. 2. Spa. 834, therefore Wood in his institutes lays it down that all blasphemy and Profaneness are offences by the *common law* and cites Strange ubi supra. Wood. 409, and Blackstone [about 1763] repeats in the words of Sr. Matthew Hale that 'Christianity is part of the law of England' citing Ventr. and Strange ubi supra. 4. Blackst. 59. Ld. Mansfield qualifies it a little by saying that 'the essential principles of revealed religion are part of the Common law' in the case of the Chamberlain of London v. Evans. 1767, but cites no authority and leaves us at our peril to find out what in the opinion of the judge, and according to the measure of his foot or his faith are those essential principles of revealed religion obligatory on us as a part of the Common law. Thus we find this string of authorities when examined to the beginning all hanging on the same hook a perverted expression of Prisot's or nothing, for they all quote Prisot, or one another, or nobody. . . . [There follow then several sentences to the effect that "in later times we take no judge's word for what the law is further than he is warranted by the authorities he appeals to," quoting Hale himself to prove that the *Leges non scriptae* "have their several monuments in writing."] Authorities for what is Common law may therefore be as well cited as for any part of the *Lex scripta*, and there is no better instance of the necessity of holding the judges and writers to a declaration of their authorities than the present; where we detect them endeavoring to make law where they found none, and to submit us at one stroke to a whole system no particle of which has its foundation in the Common law. . . . *Ibid.*, pp. 351-354.

that Christianity neither is nor ever was a part of the Common law.⁴⁵ Then after noting the silence of lawyers like Bracton who "was an ecclesiastic; and would certainly not have failed to inform us of the adoption of Christianity as a part of the Common law had any such adoptions ever taken place,"⁴⁶ he turns to Fortescue Aland's observation that "the ten commandments were made part of their [Saxon kings'] law: And consequently were *once* part of the law of England . . . and why it is not so now, perhaps it may be difficult to give a good reason."⁴⁷ This question Jefferson takes up in note No. 879, citing from "Houard" who in his *Coutumes Anglo-Normandes*,

notices the falsifications of the laws of Alfred by prefixing to them 4 chapters of the Jewish law . . . [Exodus 20-23] to which he might have added the 15th of the Acts of the Apostles v. 23 to 29, and precepts from other parts of the scriptures. These he calls a *hors d'oeuvre* of some pious copyist.⁴⁸

45 His argument to this conclusion is as follows. ". . . We know that the Common law is that system of law which was introduced by the Saxons on their settlement in England, and altered from time to time by proper legislative authority from that to the date of the Magna charta which terminates the period of the Common law, or *Lex non scripta*, and commences that of the Statute law, or *Lex scripta*. [On this *vide* his note No. 869, pp. 346-349.] This settlement took place about the middle of the 5th century, but Christianity was not introduced till the 7th century, the conversion of the first Christian king of the heptarchy having taken place about the year 598, and that of the last about 686. Here then was a space of 200 years during which the Common law was in existence, and Christianity no part of it. If it ever was adopted therefore into the Common law it must have been between the introduction of Christianity and the date of the Magna charta, but the laws of this period we have a tolerable collection by Lambard and Wilkins probably not perfect, but neither very defective; and if any one chuses to build a doctrine on any law of that period supposed to have been lost, it is incumbent on him to prove it to have existed and what were its contents. These were so far alterations of the common law and became themselves a part of it, but none of these adopt Christianity as part of the Common law." *Ibid.*, pp. 354-355.

46 "Bracton gives us a very complete and scientific treatise of the whole body of the common law. He wrote this about the close of the reign of H. 3. a very few years after the date of the *Magna charta*. We consider this book as the more valuable as it was written about the time which divides the common and the statute law and therefore gives us the former in its ultimate state. . ." *Ibid.*, p. 355.

47 An excerpt from Fortescue Aland, *Preface* to report XVII. Justice Fortescue Aland, he says, "possessed more Saxon learning than all the judges and writers before mentioned put together." *Ibid.*

48 *Ibid.*, No. 879, p. 359. Chinard gives much of this note in his *Thomas Jefferson*, pp. 100-102. "This awkward Monkish fabrication," Jefferson comments, "makes the preface to Alfred's genuine laws stand in the body of the work: and the very words of Alfred himself prove the fraud; for he declares in that preface that he has collected these laws from those of Ina, of Offa, Aethelbert and his Ancestors, saying nothing of any of them being taken from the scripture. It is still more certainly proved by the inconsistencies it occasions." Here again Jefferson anticipated modern legal opinion; cf. F. L. Attenborough, *The Laws of the Earliest English Kings*, Cambridge, 1922, pp. vi, 34-35, who follows F. Liebermann.

Jefferson then proceeds to examine the contradictions between the Common law and the Scriptures caused by "this awkward Monkish fabrication." Capital punishment for murder, for witchcraft, and for striking or cursing a parent, and the law of retaliation, are some of the more prominent innovations which Jewish law wrought upon the Saxon.⁴⁹ Jefferson then concludes:

Now all men of reading know, that these pretended laws of homicide, concubinage, theft, retaliation, compulsory marriage, usury, bailment, and others which might have been cited from this Pseudograph, were never the laws of England, not even in Alfred's time; and of course that it is a forgery. Yet, palpable as it must be to a lawyer, our judges have piously avoided lifting the veil under which it was shrouded. In truth the alliance between Church and State in England, has ever made their judges accomplices in the frauds of the clergy; and even bolder than they are: for, instead of being content with these four surreptitious chapters of *Exodus*, they have taken the whole leap, and declared at once, that the whole bible and testament in a lump, make part of the Common law.⁵⁰

The evil resulting from this forgery Jefferson sees to reside in the arming of religious precepts with municipal coercion, whereas they are, even as Jesus intended them to be, obligatory in *foro conscientiae* only.⁵¹ The principle which he draws from this study, consequently, is that the common law protects opinions but does not enact them into law:

49 *Ibid.*, pp. 359-362. Concerning witchcraft he notes that the forgery "punishes witchcraft with death, § 30, which Sr. Matthew Hale 1. *P. C. ch. 33*, declares was not a felony before the Stat. 1. Jac. c. 12. It was under that statute, and not this forgery, that he hung Rose Cullender, and Amy Duny., 16. *Car. 2.* (1662) on whose trial he declared 'that there were such creatures as witches he made no doubt at all: for 1st, the Scriptures had affirmed so much. 2d, the wisdom of all nations had provided law against such persons—and such hath been the judgment of this kingdom as appears by that act of parliament which hath provided punishments proportionable to the quality of the offence,' and we must certainly allow greater weight to this position 'that it was no felony till James' statute,' deliberately laid down in his *H. P. C.* a work which he wrote to be printed, and transcribed for the press in his life time, than to the hasty scriptum that 'at Common law Witchcraft was punished with death, as Heresy, by writ *de haeretico comburendo*,' in his *Methodical Summary of the P. C. pa. 6*, a work 'not intended for the press, nor fitted for it, and which he declared himself he had never read over since it was written,' *Preface*. Unless we understand his meaning in that to be that witchcraft could not be punished at Common law as witchcraft, but as a *haeresy*. In either sense however it is a denial of this pretended law of Alfred." *Ibid.*, p. 362.

50 *Ibid.*, pp. 362-363.

51 On this point cf. Jefferson's note from Locke's "A Letter concerning Toleration," *Works*, (1722), Vol. II, pp. 232 ff.: "Our Savior chose not to propagate his religion by temporal punmts or civil incapacitation. If he had, it was in his almighty power. But he chose to extend it by its influence on reason, thereby showing to others how [they] should proceed." *Ibid.*, p. 378.

We might as well say that the Newtonian system of philosophy is a part of the Common law, as that the Christian religion is. The truth is that Christianity and Newtonianism being reason and verity itself in the opinion of all but infidels and Cartesians, they are protected under the wings of the Common law from the dominion of other sects, but not erected into dominion over them. An eminent Spanish physician affirmed that the lancet had slain more men than the sword. Doctr. Sangrado on the contrary affirmed that with plentiful bleedings and draughts of warm water every disease was to be cured. The Common law protects both opinions, but enacts neither into law.⁵²

But why, Jefferson might have been asked, should the state protect opinion? Is not this merely the prudential toleration of a Henry of Navarre?⁵³ John Locke would have admitted that so it was, for toleration was, in his view, a civil right which resulted from the fact of "dissension among sects." Jefferson in his notes which he entitled "Scraps during the Revolution" extracts Locke's argument:

From the dissension among the sects themselves arises necessarily a right of choosing, a necessity of deliberation to which we will conform. But if we chuse for ourselves, we must allow others to chuse also and so reciprocally. This establishes religious liberty.⁵⁴

⁵² Cf. this opinion and relevant passages in the Bill for Establishing Religious Liberty; *vide* footnote 9. The parallelism of the above passage with the following from the Bill is especially close: "Our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; and therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust or emolument, unless he profess to renounce this or that religious opinion, is depriving him injudiciously of those privileges and advantages, to which in common with his fellow-citizens, he has a natural right." Ford, *Jefferson's Works*, Vol. II, p. 440. C. Zollmann, *op. cit.*, pp. 12-13, criticises Jefferson's interpretation of the maxim, "Christianity is part of the law of the land." Jefferson, he thinks, failed to discriminate "between a religion preferred by law and a religion preferred by the people without the coercion of the law." Jefferson's objection to the maxim, however, arises just here, for he saw that it had been so construed as to reinforce the religion preferred by some of the people with the coercion of the law.

⁵³ Cf. J. N. Figgis' statement to the effect that Henry IV "made his church a matter of policy," while with the *Politiques* there developed the view that "the State must, if needful, be saved at the cost of toleration." Figgis, *op. cit.*, pp. 96, 99. Cf. J. W. Allen, *A History of Political Thought in the Sixteenth Century*, New York, 1928, Chapter V, "The Toleration Controversy," especially pp. 98-100 on the views of Costellion and Acontius; and pp. 428-430 on Jean Bodin.

⁵⁴ *Commonplace Book*, p. 379. Sir Leslie Stephen, *History of English Thought in the Eighteenth Century*, New York, 1902, reprint, 1927, Vol. II, chap. x, pp. 144-151, gives a clear and concise account of Locke's ideas as developed in his "Letter." Locke's argument includes three elements, *viz.*, (a) a sceptical view, *i. e.*, religious certainty cannot be attained "so far as to justify the State in using force;" (b) the moral argument, that force may effect outward conformity but not inward, a hypocrite but not a true believer; (c) the argument of utility that dissent will be harmless if unharmed. This last leaves open the question of the state's attitude toward obviously "mischievous doctrine," and so raises the issue of the limits of

Locke, moreover, withheld toleration, Jefferson records, from any "who entertain opns contrary to those moral rules necessary for the preservation of society."⁵⁵ But such a reservation on the principle of religious freedom was unsatisfactory to Jefferson. "It was a great thing to go so far," he remarked, "... but where he stopped short we may go on."⁵⁶ He is, therefore, prepared to state in the Bill for Establishing Religious Liberty, "that to suffer the civil magistrate . . . to restrain the profession or propagation of principles on the supposition of their ill tendency is a dangerous falacy, which at once destroys all religious liberty." An unsound morality, it is true, may lead to actions detrimental to society, but the state may intervene only at the point of overt act.⁵⁷

It is this advance over Locke's conception of toleration which marks the distinguishing features of Jefferson's solution. Reading Montesquieu he had noted, "*La loi civile ne doit pas être contraire à loi naturelle.*"⁵⁸ If the right of religious liberty and of free opinion could be established upon the principle of natural law, which was commonly held as axiomatic,

toleration. Locke was satisfied to find those limits within the legal fiction of the social compact, a solution which to his antagonists seemed to beg the question since the compact is just what you make it. Hooker, whom Locke invoked for his theory of the social compact, arrived at conclusions quite opposed to consequences of Locke's position. *Vide* Hooker's *Works*, Keble edition, New York, 1865, Vol. II, Preface, p. 139, and Bk. VIII, chap. i *et seq.*, pp. 219-226.

⁵⁵ *Commonplace Book*, p. 383.

⁵⁶ *Ibid.*

⁵⁷ Ford edition, Vol. II, pp. 440-441. C. Zollmann, *op. cit.*, pp. 14-37, indicates the scope of this principle as recognized in the federal and state laws. Concerning blasphemy, for example, he says, "The law . . . forbids blasphemy on the ground that it is likely to provoke a breach of the peace" (p. 16). It should be added that for cases of radical dissent from the existing order Jefferson would probably offer the solution of self-expatriation which he regards as a natural right. Cf. G. Chinard, *Thomas Jefferson*, pp. 50-51.

⁵⁸ *Ibid.*, No. 797, p. 291. Concerning the influence of Montesquieu upon Jefferson Chinard says, (*ibid.*, Introduction, pp. 36-38) "Jefferson checked the theories of the *Spirit of the Laws* by personal observation, and in many instances discarded them, but it is difficult not to admit that at a certain time Montesquieu exerted a marked influence upon him. . ." Voltaire, on the other hand, seems to "have had little influence upon Jefferson." (p. 49). As to Rousseau, he "would agree with Mr. Becker: the influence of Rousseau was absolutely negative, nor does it appear that at any time of his life Jefferson paid any attention to the *Contrat Social*, which is not even found in the manuscript catalogue of his library." (p. 44). In Pelloutier, *Histoire des Celts* and *Histoire des Galates*, La Haye, 1740-1750 and Paris, 1771, he found "an historical confirmation of the doctrine of natural rights." (pp. 21-22; *vide* Nos. 696-716, pp. 168-181). Also, in Stanyan's *Grecian History down to the Death of Philip of Macedon*, London, 1739, he found a "confirmation of the doctrine of popular sovereignty." (pp. 22-23, and No. 717, p. 181).

its case would be impregnable.⁵⁹ It is highly probable that Jefferson found in the Scottish jurist, Lord Kames, conclusive arguments on this point. He had read Kames certainly before 1776, possible before 1770,⁶⁰ and, though he had not read him thereafter, he retained fifty years later his admiration for the man (Letter to Thomas Law, January 13, 1814).⁶¹ Kames, he wrote, "goes so far as to say, in his *Principles of Natural Religion*, that a man owes no duty to which he is not urged by some impulsive feeling."⁶² Moreover, as Chinard has demonstrated, it was chiefly through his study of Kames' *Historical Law Tracts* that Jefferson developed his conception of pristine

59 For the eighteenth century view of natural law and a comparison of this with the thirteenth century's, *vide* Carl Becker, *op. cit.*, pp. 38 ff. Cf. Sir Robert W. Carlyle, *A History of Mediaeval Political Theory in the West*, New York, 1903-1928, Vol. II, p. 105 ff., on Gratian's view of natural law, and Vol. V, pp. 30 ff., for Thomas Aquinas'. Aquinas, Locke, and Montesquieu were in agreement on the superiority of natural law over human or positive law, while Aquinas held Eternal law to be supreme over both. But the eighteenth century, "having deified Nature, . . . could conveniently dismiss the Bible and drop the concept of Eternal law altogether." (C. Becker, *op. cit.*, p. 40). On the relation of Locke to political thought in the colonies *vide* H. D. Foster, "International Calvinism through Locke and the Revolution of 1688," *loc. cit.*; D. S. Schaff, *op. cit.*, follows in line with this previous article, indicating Locke's influence on Jefferson.

60 Jefferson's notes on Kames, Nos. 557-569, preceding as they do his notes from Montesquieu and Beccaria, could not have been made later than 1776, and were probably to be dated several years earlier. *Vide Commonplace Book*, pp. 13-14.

61 Jefferson's *Works*, Memorial edition, Vol. XIV, 144. No. 694 of the *Commonplace Book*, p. 167, is a citation from Kames' *Natural Religion* on the topic of the appropriation of property in the Lacedemonian constitution. In 1792 Jefferson recommended the reading of Lord Kames (spelled 'Kaims' by Jefferson) to Peter Carr, though he admits that Kames "is too metaphysical." (Chinard quotes from the letter to Peter Carr on p. 17 of his introduction to the *Commonplace Book*.)

62 Kames' *Essays on Morality and Natural Religion* (1751) is chiefly concerned with the refutation of Humes' idea that utility is the foundation of morals. The object of the work, says Tytler (*op. cit.*, Vol. I, pp. 181-183), "is to prove, that the great laws of morality, which influence man as a social being, have their foundation in the human constitution; and are as certain and immutable as those of physical laws which regulate the whole system of nature." Kames then attacks the doubt which Hume casts upon the reality of the connexion between cause and effect, showing that "although the connexion betwixt cause and effect is not demonstrable by reasoning or strict argument, we are nevertheless equally assured of its reality . . . This belief, independent of demonstration, the author ascribes to an internal sense or principle of our constitution, which he asserts to be more authoritative in operating conviction than the strictest demonstration. . . ." (*Ibid.*, pp. 187-188). Jefferson, be it noted, followed Kames' view of morality as instinct, and went so far as to oppose Helvetius and others of his school who rested morality upon utility. *Vide* footnote 8. Kames develops this same argument for the instinctive nature of the moral sense in his *Sketches of the History of Man* (1774), and declares that "Toleration in matters of religion is a moral duty of the highest order, and of universal obligation on the human race." *Ibid.*, pp. 146, 169, 173.

Saxon *folc-right* on which he based not only his principle of religious liberty but also his entire doctrine of American Independence.⁶³ Not the universal proposition which George Mason had written into the Virginia Bill of Rights "That all men are by nature equally free and independent," but this more historical concept, going back to Saxon *folc-right* was Jefferson's distinctive contribution. Reading Kames he had come to the conclusion, expressed in his *Summary View of the Rights of British America*, that after the Conquest feudalism had impaired the original rights of Anglo-Saxons, but Englishmen in migrating to the colonies were again free to develop their own laws and institutions.⁶⁴ Moreover, Saxon *folc-rights* are of two classes, natural rights and civil rights. The latter are secured through compact; the former, being rights of personal competency, are inalienable. Hence the need of a bill of rights which definitely reserves this entire class.⁶⁵ To this class be-

63 *Historical Law Tracts*, Edinburgh, 1759; Chinard states that the edition current in the colonies was published in England without the author's name. For a summary of the contents of these tracts *vide* Tytler, *op. cit.*, Vol. I, pp. 299-319; Adam Smith's criticism of them is to be found on pp. 318-319. Chinard gives his estimation of the influence of Kames upon Jefferson on pp. 18-19 of the *Commonplace Book* and in his *Thomas Jefferson*, pp. 84-85, "I am perfectly aware of the undeniable influence of Locke upon the theory of Kames;" he says, "and it would be very unlikely that Jefferson had not read Locke's *Treatise on Civil Government* at that date. The fact remains however that neither Locke, nor as far as I know, any other political thinker of the period, had so clearly defined that particular combination of individualism and respect for peace and good order which is so characteristic of the American conception of democracy. Jefferson could have endorsed without any change the whole *Tract on Property*, from the beginning to the conclusion—which he echoed in his *Bill to Abolish Entails* and in his proposal to abolish primogeniture.

"In Kames, at any rate, he found a complete exposition of the theory of natural rights; and from the evidence furnished by the *Commonplace Book* it cannot be doubted that the Scottish Lord was for him a master and a guide." *Commonplace Book*, p. 19.

64 *Vide* Ford edition, Vol. II, pp. 64-65, 68, 83 ff., and Chinard, *Thomas Jefferson*, pp. 48 ff., where Chinard remarks that Jefferson formed his idea about the history of the settlement of England from studying Pelloutier, Sir William Temple, and Dalrymple.

65 *Ibid.*, pp. 80-85, 204. In a notation which Jefferson made for his own clarification, given in Chinard, *ibid.*, p. 81, he distinguishes "between those they could individually exercise fully and perfectly and those they could not.

"Of the first are the rights of thinking, speaking, forming and giving opinions, and perhaps all those which can be fully exercised by the individual without the aid of exterior assistance—or in other words, rights of personal competency. Of the second kind are those of personal protection of acquiring property, in the exercise of which the individual natural power is less than the natural right. . . . These I conceive to be civil rights or rights of Compact, and are distinguishable from Natural rights, because in the one we act wholly in our own person, in the other we agree not to do so, but act under the guarantee of society." Cf. Thomas Jefferson, *Notes on the State of Virginia* (Lilly and Watt edition, 1832), p. 166, in which he states that "our rulers have no authority over such natural rights,

longs the right of free opinion, for that is a matter solely of personal competency, or in the words of the Bill of Religious Freedom, "Almighty God hath created the mind free, and manifested his supreme will that free it shall remain by making it altogether insusceptible of restraint."⁶⁶ More precisely and categorically than either Locke or Montesquieu, Jefferson was prepared to affirm the natural right to religious freedom in these terms:

that rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.⁶⁷

The case for religious freedom was complete. Beginning with the actual problem in Virginia, through his legal and historical studies Jefferson confirmed his opinion that the union of church and state was politically unsound and the instrument of tyranny, and that a true regard for natural rights required the separation of religious and common law. Only one point of contact between religion and the state remained—the point of overt act. Here and here only might the state presume to interfere, for it was only by overt act that an infringement upon civil rights was possible. Locke had not seen the matter in so clear a light, nor had he pushed his argument with this consistency. Polarity between the medieval and modern theories of church and state had at last been reached. Both began with natural law, but to what opposite extremes they had arrived!

only as we have submitted to them.—The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others." This was written prior to 1787.

⁶⁶ Ford edition, Vol. II, pp. 438-439.

⁶⁷ *Ibid.*, p. 441, from Sec. III of the *Bill*.

COLERIDGE'S THEORY OF THE CHURCH IN THE SOCIAL ORDER

CYRIL K. GLOYN

New York City

The era of the English Reform Bill of 1832 presented difficulties and dangers to both state and church. For the state it set the task of achieving a social order—of forming a new social mind—in a period when social change had destroyed the basis of custom in English life and thought. The rise and growth of mechanized industry had produced both a new working class separated from the land and the processes of production and with only its labor to sell in return for a meager livelihood, and a new industrial middle class which, finding itself excluded from the rights and privileges of the state, had set about the task of acquiring a political position comparable to its new economic status. Though the latter group secured the passage of the Reform Bill, to secure social stability was a much more difficult task. The industrial society showed itself as a divided society, described by Disraeli as “two nations between whom there is no intercourse and no sympathy . . . as if they were dwellers in different zones, or inhabitants of different planets,”¹ a society in whose towns a French writer of the period could discover “nothing but masters and operatives.”²

For the Established Church, Reform presented an unknown future. The Establishment had long been attacked as inefficient, corrupt, over-laden with revenues, lacking in discipline, and as representative of the ruling landed aristocracy. The Reform Bill gave power to just those groups—the Roman Catholics, the Dissenters, the Radical Reformers—most hostile to the church and favorable to Dissent. Reform obviously opened the door to every kind of attack, perhaps even to disestablishment. Such fears were common. Crocker had written, “The day which reforms the House of Commons dissolves

¹ Disraeli, Benjamin, *Sybil*, Book ii, chapter 5.

² Léon Faucher, quoted by J. L. and Barbara Hammond, *The Age of the Chartists*, p. 336.

the House of Lords and overturns the Church," and Tennyson had prophesied, "Reform will bring in the confiscation of Church property, and maybe the downfall of the Church altogether."³ The church was already in danger. That danger was increased tenfold by the Reform Bill.

It was in this setting that Coleridge developed what, in outline and intent, may be called a social philosophy of conservative collectivism, a philosophy for which a theory of a national church was essential.

He had been one of the first to see the impending social convulsion. In one of his earlier addresses, long before many whose lives were more directly devoted to affairs of church and state were aroused, he had called attention to the dangers inherent in a divided society. "Society as at present constituted," he declared in his Bristol speech in 1795, "does not resemble a chain that ascends in a continuity of links. Alas! between the parlor and the kitchen, the office room and the tap, there is a gulf that may not be passed."⁴ The mixed metaphors may be excused in a youth just turned twenty-three. At the time, he looked with approval upon the French revolutionary spirit and bade England profit by her example. As the months passed, however, and the revolutionary spirit under Napoleon developed into what Coleridge thought was tyranny, he disowned his earlier enthusiasm for France and, in his "Ode to France," published in 1798, his belief in the sacredness of the cause of the Republic. In a letter of the same year he wrote, "I have snapped my squeaking baby-trumpet of sedition and the fragments lie scattered in the lumber-room of penitence."⁵ Years later, he disclaimed any Jacobinic intentions whatsoever in the writings of this period.

Even these earlier views, however, are not inconsistent with what was Coleridge's main social interest—order. His 1795 addresses were not so much laudations of the spirit of revolutionary France as appeals to the English people to take warning from the events across the Channel and, rather than proscribing and persecuting Jacobinism as they were doing, bring about that social balance at home which would prevent such violence and bloodshed as had been witnessed in France.

3 Quoted by Christie, O. F., *The Transition from Aristocracy*, p. 45.

4 Coleridge, S. T., *Essays*, ed. by H. N. Coleridge, 1837, II, p. 197.

5 Quoted by Cobban, Alfred, *Edmund Burke and the Revolt Against the Eighteenth Century*, p. 157.

Recognizing that the steady substitution of machinery for hand labor, the continuance of enclosures, and other aspects of the industrial development of the time were widening class divisions and creating bitterness within the nation, he continued his appeals long after these earlier Godwinian and Pantisocratic days. In 1810 he warned that "The hollow murmur of the earthquake within the bowels of our own community may strike a direr terror than ever did the tempest of foreign warfare."⁶ We know that his associates, Southey and Wordsworth, feared a class war was imminent in 1812. It is likely that Coleridge shared this fear.

The fear Coleridge held for the national existence, however, is most clearly stated in his Lay Sermon of 1817, "addressed to the higher and middle classes on the existing distresses and discontents."⁷ In this he attributes most of the distress of the period to the operations of the commercial and credit system. Would we learn, he asks, what have been the results of this system? He tells his readers to consider the periodic "revolutions of credit" at intervals of about twelve or thirteen years each in the preceding sixty years, and thereupon proceeds to analyze that aspect of its operation later known as the trade cycle. "I shall perhaps be told," he continues, "that the very evils of this system, even the periodical crash itself, are to be regarded as so much superfluous steam ejected by the escape pipes and safety valves of a self-regulating machine . . . and . . . that in a free and trading country all things find their level."⁸ But Coleridge is not content with such an answer. His is a romantic protest against the passive acceptance of these social evils as the inevitable outcome of economic law. Things may find their level. "But persons are not things—but man does not find his level. Neither in body nor soul does man find his level. After a hard and calamitous season, during which the thousand wheels of some vast manufactory had remained silent as a frozen water-fall, be it that plenty has returned and that trade has once more become brisk and stirring; go, ask the overseer, and question the parish doctor, whether the workman's health and temperance with the staid and respectful manners best taught by the inward dignity of conscious self-support have found their level again!"⁹ Nor

6 *The Friend*, ed. by H. N. Coleridge, 1837, I, p. 166.

7 The quotations given below are from the 1839 edition, edited by H. N. Coleridge.

8 *Ibid.*, pp. 402-403.

9 *Ibid.*, p. 404.

is the effect confined to the laboring classes. A depravation of the national morals is inevitably associated with the frauds and follies, the desperate speculation, contagious bankruptcies and violations of trust associated with commercial revolutions.¹⁰ Associated with this depravation of the national morals is the danger of losing that patriotic love of country by which the different social interests, groupings, and institutions are held in balance. "O, Sir, it kills a man's love for his country, the hardships of life coming by change and with injustice," is the comment of an elderly schoolmaster which Coleridge cites in this sermon.¹¹ The comment had been made respecting the separation of the people from the land by enclosures—the results, Coleridge reveals, of the spirit of trade in agriculture. A peasantry sinking into pauperism, the loss of patriotic love of country, depravation of national morals, cyclical unemployment among industrial workers, and over all, discontent and the sense of insecurity—these were the effects of the commercial and credit system which Coleridge feared would undermine the national welfare.

Not that Coleridge viewed the spirit of trade and commerce as necessarily an evil. To be sure, "agriculture requires principles essentially different from those of trade" since the tenure of landed property, Coleridge maintained, differed from that of individual or private property.¹² But, except in relation to agriculture, the spirit of trade need not necessarily have the evil consequences of the past sixty years. "Increase of human life and increase of the means of life are, it is true, reciprocally cause and effect; and the genius of commerce and manufacture," he admits, "has been the cause of both to a degree that may well excite our wonder."¹³ That it has also had evil consequences has been due, not to its intrinsic nature, but to the undue predominance of that spirit in national life. "There is surely no inconsistency in yielding all due honor to the spirit of trade, and yet charging sundry evils which weaken or reverse its blessings in the overbalance of that spirit, taken as the paramount principle of action in the nation at large."¹⁴

The concept of balance, or rather of order achieved through the balance of the different elements composing national life,

¹⁰ *Ibid.*, pp. 404-5.

¹¹ *Ibid.*, p. 409.

¹² *Ibid.*, p. 413.

¹³ *Ibid.*, p. 406. See also pp. 402, 412.

¹⁴ *Ibid.*, p. 403.

was the heart of Coleridge's social philosophy. His emphasis in his metaphysical speculations may have differed at different stages in his life; his emphasis of the idea of balance as related to his social philosophy was constant. It is found in his earliest as in his latest writings. The idea of the constitution was for him that of balance—the balance of progression and permanence, of material progress and cultural growth, of personal and landed interests, of state and church. To the lack of balance he attributes the disorder of his era. The causes of the distresses in 1817 are not, he believes, the number and amount of pensions and sinecures, the system of tithes, the machinery of the employers or the activities of the capitalists. Rather they appear to him “resolvable into the overbalance of the commercial spirit in consequence of the absence or weakness of the counter-weights.”¹⁵ The growth in influence of the counter-weights—the ancient feeling of rank and ancestry, a philosophic class, and religion—has not kept pace with the development of the spirit of trade. As a consequence, commercial interests have assumed an undue predominance in the national life and are endangering the very ends for which the nation exists. For the national life is more than a struggle for goods; men do not live by bread alone. Ethical and religious interests need to be considered equally with economic and utilitarian. Though the development of the latter has been at the expense of the former and is responsible for the social evils of the day, Coleridge maintains that this need not be. On the contrary, “the spirit of commerce is itself capable of being counteracted and enlightened by the spirit of the State.”¹⁶ The struggle that rent society was, he thought, not so much between two classes of people as between two sets of ideas. As such, these could be reconciled, for above both sets of ideas was the idea of the state. This idea, once seen by men, Coleridge believed, would enable them to achieve that balance of social interests which he deemed so essential and in which the social disorder of the time would disappear and true progress be possible.

What Coleridge meant by the idea of the state, he elaborated in *The Constitution of Church and State according to the Idea of Each*, a work written at the height of the controversy over the Catholic Emancipation Act to explain his opinion of that measure. In this work the concept of balance often re-

¹⁵ *Ibid.*, p. 359.

¹⁶ *Ibid.*, p. 423.

ferred to elsewhere is most clearly stated. "Church and State,—civil and religious rights," he had written several years before, "to hold these essential powers of civilized society in a due relation to each other, so as to prevent them from becoming its burdens instead of its supports; this is perhaps the most difficult problem in the whole science of politics."¹⁷ Toward its solution he contributed a new note by seeking to discover the idea, or ultimate aim, of both state and church.¹⁸ The knowledge of this ultimate aim, he states in his church and state treatise, may exist and powerfully influence a man's thoughts and actions, without him being distinctly conscious of the same, much more without him being competent to express it in definite words.¹⁹ In England, he maintains, "we have a right to speak of the idea (of the state) . . . as existing . . . in the only way in which a principle can exist,—in the minds and consciences of the persons whose duties it prescribes, and whose rights it determines" because "our whole history from Alfred onwards demonstrates the continued influence of such an idea, or ultimate aim, on the minds of our forefathers, on their characters and functions as public men, in what they resisted and in what they claimed; in the institutions and forms of polity which they established, and with regard to those, against which they more or less successfully contended; and because the result has been a progressive, though not always a direct or equable, advance in the gradual realization of the idea; and because it is actually, though even because it is an idea not adequately, represented in a correspondent scheme of means really existing."²⁰ Again, "as the fundamental idea, it is at the same time the final criterion by which all particular frames of government must be tried."²¹

The term "state" Coleridge uses in a double sense, "a larger in which it is equivalent to realm and includes the Church, and a narrower, in which it is distinguished *quasi per antithesin* from the Church, as in the phrase, Church and State."²² The

17 "Letter to Courier," Sept. 26, 1811, *Essays*, III, p. 925.

18 "By an idea I mean (in this instance) that conception of a thing, which is not abstracted from any particular state, form, or mode, in which the thing may happen to exist at this or that time; nor yet generalized from any number or succession of such forms or modes; but which is given by the knowledge of its ultimate aim." *On the Constitution of Church and State according to the Idea of Each*, ed. by H. N. Coleridge, 1839, p. 11.

19 *Ibid.*, p. 12.

20 *Ibid.*, pp. 18-19.

21 *Ibid.*, p. 19.

22 *Ibid.*, p. 22.

former is introductory to the latter and narrower constitution of state. We have already seen what is implied in the larger concept. With respect to England it is what Coleridge calls the "*lex equilibrii*,"²³ the principle prescribing the means and conditions by and under which the state possesses a unity within itself and is enabled to fulfill both its negative ends—the safety of the state and the protection of life and property within it for all its members—and its positive ends of "making the means of subsistence easier for each individual, securing to each the hope of betterment, and the development of the facilities essential to his humanity."²⁴ Such a state has as two major interests, its permanence and its progression. The principle of the constitution is the "harmonious balance" of these interests.²⁵ From several causes the permanence of the state is connected with the land and the landed property²⁶ while its progression is especially connected and derived from the four classes, the mercantile, the manufacturing, the distributive, and the professional, composing what Coleridge terms the Personal Interests.²⁷ The theory of the constitution prevents the encroachment of either one of these two orders of society on the other.²⁸ Though insisting that he is not giving a historical²⁹ account of the legislative body, Coleridge shows how this balance has been achieved in the establishment of the two houses of Parliament.³⁰ To Parliament the total interests of the country have

23 *Ibid.*, p. 23.

24 Muirhead, J. H., *Coleridge as a Philosopher*, p. 190.

25 *On the Constitution of Church and State*, p. 32.

26 *Ibid.*, p. 25.

27 *Ibid.*, pp. 26, 29.

28 *Ibid.*, p. 30.

29 Though Coleridge's intention was to make philosophy and not history the foundation of his theory of the state, a conflict exists between his philosophic and historical appeal, and he turns more and more to the positive facts of historical evolution in the development of his theory. Cf. Cobban, *op. cit.*, p. 179.

30 "My assertion is simply this, that its formation has advanced in this direction. The line of evolution, however sinuous, has still tended to this point, sometimes with, sometimes without, not seldom, perhaps, against, the intention of the individual actors but always as if a power, greater and better than the men themselves, had intended it for them." (*On the Constitution of Church and State*, p. 33). Coleridge's qualification in this respect is caused by his recognition of the paramount position the landed interests have assumed politically due to the defects in the realization of the constitution and idea, so that "they now constitute," he says, "a very large proportion of the political power and influence of the very class of men whose personal cupidity and whose partial views of the Landed Interest at large they were meant to keep in check." (*Ibid.*, p. 31). Even these defects, he believes, have been offset by the increased force of public opinion resulting from the extension and development of roads, canals, machinery, and the press. (*Ibid.*, p. 32).

been entrusted. Meanwhile the king, in whom the executive power is lodged, acts "as the beam of the constitutional scales."

The idea of the state, in its larger sense, includes the idea of the national church. In this sense the state has two poles—the political pole or idea of the state and the cultural pole or idea of the national church. Together they form the constitution of the nation. The paragraph above deals only with the political pole of the state. The checks and balances there considered are not to be confused with those of the state in its narrower sense as government. The advocacy of a system of governmental checks and balances had been Montesquieu's great contribution to political thought. In Coleridge's constitution of the state, the balance is found not in the government but in society itself. A third order, however, is needed if this balance is to be realized. As the idea of the state implies the balance of two orders of society which find expression in Parliament, this other idea implies a third estate in the realm, the national church. Where the object of the first two is to reconcile the interests of permanence and progression, that of the third estate is "to secure and improve that civilization, without which the nation could be neither permanent nor progressive."³¹ Every nation requires for its true health not only the first two orders, but also an educative class as well, to provide a continuing and progressive civilization, binding the national life together in its past, present, and future, communicating to all citizens that knowledge indispensable for the understanding of their rights and the performance of their corresponding duties, and securing for the nation a character of general civilization equal or superior to that of other countries.³² This third estate Coleridge denominated the "Clerisy." In it was vested the nationality, that reserve which, according to Coleridge's conception of history, was marked off at the establishment of the landed properties for the maintenance of this special class whose task was to look after the interests of culture.³³ This class is not to be thought of as limited to the clergy. In their rôle of theologians these originally had been leaders among the clerisy because the science of theology gave unity and life to the other sciences and under its name "were comprised all the main aids,

³¹ *Ibid.*, p. 47.

³² *Ibid.*, pp. 47, 70; *The Friend*, III, p. 64.

³³ *On the Constitution of Church and State*, p. 38, 45 ff

instruments, and materials of national education."³⁴ Although with the development of the commercial order, students and professors of law, medicine and other of the professions have detached themselves from the nationality and the national clergy, still, in its primary acceptance and original intention "the Clerisy . . . comprehended the learned of all denominations, the sages and professors of . . . all the so-called liberal arts and sciences, the possession and application of which constitute the civilization of a country, as well as the theological."³⁵

Thus the idea of the national church is not to be confused with that of the Christian church with which the clergy are associated. Rather, it is most essential that they be clearly distinguished, for "many and fearful mischiefs" have ensued from the confusion of the two.³⁶ Coleridge devotes an entire section to the distinction between them. The national church, we have seen, is definitely an estate of the realm, incorporating the learning and knowledge, intellectual and spiritual, of the country, standing opposed and serving as a counter-balance to the state conceived in its narrower sense. Only in reference to it is the phrase "church and state" applicable. "The Christian Church . . . is no state, kingdom or realm of the world," but is "the sustaining, correcting, befriending opposite of the world,"³⁷ the *ecclesia* proper, "the communion of such as are called out of the world."³⁸ Its "paramount aim and object . . . is another world, not a world to come exclusively, but likewise another world that now is, and to the concerns of which alone the epithet spiritual can, without a mischievous abuse of the word, be applied."³⁹ It cannot be considered as opposed to a particular state "without forfeiting the very name of Christian."⁴⁰ In realizing its own principle it contributes to the stability of the state, but for this it asks of the state "neither wages nor dignities."⁴¹ As the Christian church, it has no nationality entrusted to its charge.⁴² Though not a realm of this world, neither is the church a secret community. Rather, it is "most

³⁴ *Ibid.*, pp. 49-51.

³⁵ *Ibid.*, p. 49.

³⁶ *Ibid.*, p. 139.

³⁷ *Ibid.*, p. 124.

³⁸ *Ibid.*, p. 48.

³⁹ *Ibid.*, p. 127.

⁴⁰ *Ibid.*, p. 127.

⁴¹ *Ibid.*, p. 125.

⁴² *Ibid.*, p. 127.

observable . . . consisting of visible and public communities."⁴³ These two characteristics—antithesis to the world yet visible existence in all different societies—are reconciled by the Christian church having no visible head or sovereign and no "local personal centre of unity."⁴⁴ While the king is the "head of the national Church or Clerisy and the protector and supreme trustee of the Nationalty"⁴⁵ bound by his coronation oath to protect the safety and independence of the national church,⁴⁶ Christ alone is head of the Christian church and only through His presence in all local churches are these united with each other.⁴⁷ Finally, while the national church is institutional and local, the Christian church, as a necessary consequence of its first and third characteristics, is universal, "neither Anglican, Gallican, nor Roman, neither Latin nor Greek. Even the Catholic and Apostolic Church of England is a less safe expression than the Church of Christ in England: though the Catholic Church in England, or (what would be still better) the Catholic Church under Christ throughout Great Britain and Ireland is justifiable and appropriate."⁴⁸

In these distinctions Coleridge emphasizes on what grounds the claim for endowment must rest. Only as the national, not as the Christian church, can the church in England claim the outward privileges it enjoys. For the maintenance of the ministers of the clerisy, the nation, through the agency of the constitution, has created the nationalty upon fixed terms and with defined duties. In case of breach of these terms or dereliction of these duties, the nation through the same agency, may discharge these ministers, though "the Nationalty cannot rightfully, and that without foul wrong to the nation it never has been, alienated from its original purpose."⁴⁹ Though Coleridge states that the nationalty may be vested elsewhere than in what is usually meant by the established clergy and suggests that universities, schools of liberal learning, and presbyters, parsons, and schoolmasters of parishes are directed to the end for which the nationalty exists, he does not state how the latter may become members of the clerisy, since actually the Established

43 *Ibid.*, p. 126.

44 *Ibid.*, p. 128.

45 *Ibid.*, p. 88.

46 *Ibid.*, p. 113.

47 *Ibid.*, pp. 130-132.

48 *Ibid.*, p. 135.

49 *Ibid.*, p. 54.

Church of England possesses the endowment. Theoretically, Dissenters would also be included, but Coleridge makes no provision by which these may be embodied in the national church and participate in the nationality. Rather, he states that earlier secessions from the national clerisy "can in no way affect the principle, nor alter the tenure, nor annul the rights of those who remained, and who, as members of the permanent learned class, were planted throughout the realm, each in his appointed place, as the immediate agents and instruments in the great and indispensable work of perpetuating, promoting and increasing the civilization of the nation."⁵⁰ This is but another instance of the conflict in Coleridge between the philosophic and historical appeal. Coleridge recognizes this for he insists that his aim is to "present the idea of a national Church, not the history of the Church established in this nation." "When we are in full and clear possession of this ultimate aim of an institution," he says, "we can ascertain in what respects this aim has been attained in other ways arising out of the growth of the nation" and "in what respects the existing institution still answers the original purpose."⁵¹ Coleridge's presentation of the idea of a national church may have had little relation to the Established Church in England. Obviously it was much easier to form an idea of the national church than to disclose its original purpose. He may have been dreaming of such a national church as never was on sea or land. It was, nevertheless, a noble conception.

Returning to the national church or clerisy as a third estate of the realm, we see that its function has direct relation to the state. Among the primary ends of the latter there are two "of which the national Church (according to its idea) is the especial and constitutional organ and means . . . to secure to the subjects of the realm generally, the hope, the chance of bettering their own, or their children's condition" and "to develop in every native . . . those faculties, and to provide for every native that knowledge and those attainments, which are necessary to qualify him for a member of the State, the free subject of a civilized realm."⁵² While industry, commerce, and the arts have proved allies for effecting the realization of the first end, the nationality continues "to feed the higher ranks by drawing up whatever is worthiest from below and thus maintains the principle of

⁵⁰ *Ibid.*, p. 53.

⁵¹ *Ibid.*, p. 61.

⁵² *Ibid.*, p. 76.

hope in the humblest of families, while it secures the possessions of the rich and the noble."⁵³ The second end, "civilization with freedom" is likewise the proper object of the national church, established "to form and train up the people of the country to be obedient, free, useful, organizable subjects, citizens and patriots, living to the benefit of the State, and prepared to die for its defence."⁵⁴ Could the clerisy be contemplated "merely and exclusively as officaries of the national Church," their duties "would be fulfilled in the communication of that degree and kind of knowledge to all, the possession of which is necessary for all in order to their civility." By civility Coleridge means "all the qualities essential to a citizen, and devoid of which no people or class of the people can be calculated on by the rulers and leaders of the State for the conservation or promotion of its essential interests."⁵⁵ Thus the function of the national church being cultural and civic, it follows that the state in its constitutional sense "has a right to demand of the national Church that its instructions should be fitted to diffuse throughout the people legality."⁵⁶

Though Coleridge clearly distinguished as ideas the national and the Christian church⁵⁷ and the respective functions of each, he does not clear up the actual relation between the two as found in England. "In relation to the national Church," he states, "the Church of Christ is a blessed accident."⁵⁸ National churches have existed before the institution of the Christian church.⁵⁹ But in England exists both a Christian and a national church. The Christian church, he has told us, exists in the visible church societies or communities. The relation of the English branch of the Christian church to the Church of England he leaves in obscurity. It is important to notice this in view of the Tractarian identification of the Established Church and its episcopally governed churches with the universal Christian church, thus making every attack on the external order of the Anglican church a kind of sacrilege. Certainly, we have seen, there is no mention of episcopacy in the char-

⁵³ *Ibid.*, p. 76.

⁵⁴ *Ibid.*, p. 58.

⁵⁵ *Ibid.*, p. 58.

⁵⁶ *Ibid.*, p. 58.

⁵⁷ He called them "the saving distinctions." See ed. note *Table Talk*, Jan. 1, 1823 in *Works*, ed. by Shedd, 1854, VI, p. 259.

⁵⁸ *On the Constitution of Church and State*, p. 59.

⁵⁹ *Ibid.*, p. 60.

acteristics by which Coleridge identifies the Christian church. His idea of the Christian church is not Anglo-Catholic, in the present sense of the term; it might better be called Congregational Catholicism.

Nor does Coleridge separate religion from the educational and civic functions of the national church. For, he says, mere education and enlightenment will be insufficient to achieve the ends to which the national church is dedicated.⁶⁰ "The morality which the State requires in its citizens for its own well being and ideal immortality, and without reference to their spiritual interest as individuals, can only exist for the people in the form of religion. . . . Religion, true or false, is and ever has been the centre of gravity in a realm."⁶¹ This is perhaps the reason that Coleridge holds that "two distinct functions do not necessarily imply or require two different functionaries: nay, the perfection of each may require the union of both in the same person."⁶² "In the instance now in question," he continues, "great and grievous errors have arisen from confounding the functions; and fearfully great and grievous will be the evils from the success of an attempt to separate them—an attempt long and passionately pursued in many forms, and through many various channels, by a numerous party, which has already the ascendancy in the State; and which, unless far other minds and far other principles than those which the opponents of this party have hitherto allied with their cause are called into action, will obtain the ascendancy in the nation."⁶³ The Liberals would err if they attempted to separate the Christian and the national church; the Tories were erring in defending it on grounds of property rights or its sacerdotal character. This was Coleridge's message.

Thus, in the politics of his day, Coleridge was, strictly speaking, neither Whig nor Tory. That he threw the weight of his opinion into the Tory scale was due, we are told, first, to his fear of the growing democratic spirit which he believed menaced the cause of freedom and of truth, and secondly, to

⁶⁰ *Ibid.*, p. 71.

⁶¹ *Ibid.*, p. 71.

⁶² *Ibid.*, p. 61. Cf. *Table Talk*, May 31, 1834, *Works*, VI, p. 514. "The national Church requires and is required by the Christian Church for the perfection of each." The reasons given in this citation, however, emphasize more the need of the Christian for the national church than *vice versa*.

⁶³ *On the Constitution of Church and State*, pp. 61-62.

his concern for the national church at the hands of the Whigs allied with those avowedly antagonistic to it. The latter concern was paramount. "It weighed upon his mind," his son states, "night and day; and he spoke upon it with an emotion which I never saw him betray upon any topic of common politics, however divided his opinion might be."⁶⁴ Coleridge's own words support this. "The Church is the last relic of our nationality," he wrote in February, 1832; "Would to God that the bishops and clergy in general could once fully understand that the Christian Church and the national Church are as little to be confounded as divided. I think the fate of the Reform Bill, in itself, of comparatively minor importance; the fate of the national Church occupies my mind with greater intensity."⁶⁵ The function he assigned the church in his idea of a balanced constitution was the basis of this concern. The church was to him "the ark of the covenant of his beloved country,"⁶⁶ the sign of its nationality. Weaken or destroy it and you weakened and destroyed that balance which was itself the principle of unity in the nation. He traces this process. The national church no longer considered an estate of the realm, it becomes but one of many theological sects established in the realm. "The church being thus reduced to a religion, religion *in genere* is consequently separated from the Church and made a subject of Parliamentary determination, independently of this Church."⁶⁷ The poor are withdrawn from its disciples, education of the people from its ministry. Education, finally sundered from all religion, becomes synonymous with utilitarian and empirical instruction. Eventually comes the spoliation of the nationality—"half thereof to be distributed among the land-owners, and the other half among the stock-brokers and stock-owners."⁶⁸ And with this is lost the idea of the constitution as the informing principle of the coherence and unity of the state and by which the integral classes or orders are so balanced as to constitute a moral unit, an organic whole, a nation. The idea of the nation once lost, what have we in its place? Antagonistic groups of warring individuals, answers Coleridge, "a swarm of clever, well-informed men: an anarchy of minds, a despotism of maxims. Hence despotism of finance

64 *Table Talk*, Preface, by H. N. Coleridge, in *Works*, VI, p. 237.

65 *Table Talk*, Feb. 22, 1832, *Works*, VI, p. 382. See also *inter alia*, pp. 419, 428.

66 *Ibid.*, Preface by H. N. Coleridge, p. 237.

67 *On the Constitution of Church and State*, p. 65.

68 *Ibid.*, p. 67.

in government and legislation—of vanity and sciolism in the intercourse of life—of presumption, temerity, and hardness of heart in political economy,"⁶⁹—in brief, all those characteristics of social disorder which had been evidenced on the other side of the Channel and were beginning to show themselves at home, and which could only be corrected by the very idea which would be repudiated in the spoliation of the nationality—the idea of balance and interdependence of the landed by the commercial classes and of both by the clerisy, as contained in the constitution.

From the foregoing it becomes clear that Coleridge developed his theory of the national church not as a defense of the Establishment but in relation to the challenge of the new industrial society and its individualistic philosophy. His theory embodied a social philosophy which, he believed, offered the basis for a conservative program of necessary social reform. Such an appeal had little chance of being heard in Victorian England too much concerned with making money to worry over abstract speculation on the deeper realities of social life. However, his views may be of greater interest in a period when both the commercial spirit and the evils which Coleridge associated with industrialism have increased to such an extent as to affect even the "higher and middle classes." Disregarded by the nineteenth century, Coleridge's social theory may prove stimulating to our own.

⁶⁹ *Ibid.*, pp. 69-70.

JOSHUA L. WILSON, FRONTIER CONTROVERSIALIST

RAYMOND LEE HIGHTOWER

Kalamazoo College, Kalamazoo, Michigan

Among the frontier ministers who contended "earnestly for the faith once delivered," Joshua L. Wilson stands well to the front.¹ He was born in Bedford County, Virginia, Sept. 22, 1774; and died in Cincinnati, Ohio, August 14, 1846. His father was Henry Wright Wilson, a grandson of Major Josiah Wilson of Maryland. His mother was an elder sister of Drury Lacy, a well-known Presbyterian minister of Virginia. Wilson's father married Agnes Lacy in Chesterfield County, Virginia, on April 7, 1765. Joshua was the third child and second son. At the time of his birth the family had moved to Bedford County, where Henry Wright Wilson practiced his profession of physician. His career was cut off by death when Joshua was about four years old, and the family was left in needy circumstances. Wilson tells us in his Memoirs that his mother soon married again "with a hope of obtaining a better home."² Her second husband was John Templin, an elderly Presbyterian farmer of the neighborhood. He was living with his only son by a former marriage, Terah. The latter was probably the first Presbyterian to preach the Gospel in Kentucky. After he lost his fiancée by an early death, his father and David Rice, his minister in Bedford County, persuaded him to study for the ministry. At the time of Wilson's birth David Rice was preaching near his home, and Terah Templin was preparing to become a minister.³ Although

1 The Joshua L. Wilson Papers constitute a part of the Durrett Collection deposited in the libraries of the University of Chicago. They contain about two thousand manuscripts relating to the life of Wilson. Nearly half are letters written by Wilson or to Wilson. Parts of Wilson's diary, journal, memoranda, sermon notes, expense accounts, memoirs, etc., make up the remainder of the material.

2 MS. of Wilson's Memoirs. Joshua L. Wilson Papers.

3 R. H. Bishop, *An Outline of the History of the Church in the State of Kentucky, During a Period of Forty Years: Containing the Memoirs of Rev. David Rice*, Lexington, Ky., 1824, p. 61. Also MS. of Wilson's Memoirs.

his mother was a Baptist, the religious atmosphere thrown about Wilson was Presbyterian.

Shortly after his marriage to Wilson's mother, John Templin decided to move to Kentucky. He took his new family as far as the neighborhood of Abingdon, Virginia, where they were left while he, his son Terah, and his one negro slave, pushed into Kentucky to find another home. The severity of the winter of 1779-80 brought the adventurers hardships both in the form of bodily suffering and in the loss of their live stock. They eventually found shelter in a fortified settlement, and Terah Templin visited other stations—as such places were called—for the purpose of preaching. In the meantime Wilson's mother "obtained subsistence" for her three children by taking in knitting and teaching a small school. At this early date Joshua was beginning to get acquainted with the family library, which consisted of a 1754 Edinburgh edition of the Bible, a *Shorter Catechism* and a copy of Watts' *Hymnal*. In 1781 John Templin sent his son to bring the family into Kentucky, where they arrived in October of that year.

For about twelve years the family lived on leased land, from which they managed to gain a living. During this period John Templin died, thus shifting the care of the family first to Terah Templin and then to the Wilson boys. Joshua's older brother spent much of his time in the Indian wars so that responsibility was placed upon Joshua at an early age. While yet in his teens he purchased a small farm north of the Kentucky River in Jessamine County, then a part of Fayette. His sister married and he was left alone with his mother. He worked hard and soon succeeded in paying for the place.

Young Wilson was sensitive to his religious environment. He heard much about the Bible in his home, and as a small boy he used to go into the woods to pray over his wants and fears. When he was between ten and eleven, a revival in the community brought him a "conviction of sin," but the delay in the acceptance of his application for church membership gave opportunity for the religious enthusiasm to cool. Several years later, when he was working away from home, he read *Pilgrim's Progress* and resolved to be a Christian; when he got back to his old friends he resumed his former habits. He tells us that he swore, played cards, danced, sang popular songs, and attend-

ed horse races and shooting matches.⁴ He was not addicted to drink because he did not like the taste of whiskey. He had entered the twenty-second year of his life before he came to a definite decision to become a Christian and prepare for the ministry. According to his own account, the "conviction of sin" again came upon him as he was returning home after an absence of several days at a lively party. Following Terah Templin's advice, he decided to enter a school. He sold his farm to a German immigrant, sent his mother to live with her daughter, and went for a year to the Kentucky Academy located at Pisgah.⁵ Rev. James Blythe was pastor of the Presbyterian congregation at that place. Under date of April 14, 1796, he signed the following document:

Let this certify that Joshua L. Wilson lived some time in this congregation, was admitted to full communion with us, and now leaves us free from any cause of church censure known to us, and is hereby recommended to any society where God may cast his Lot.⁶

The following year Wilson and three other young men attended a private school in Mercer County taught by the Rev. William Mahon, whom Wilson characterized as "an able teacher and a drunken preacher."⁷

After less than three years of formal education, Wilson became a teacher of a school in Frankfort, "containing the children of some of the most distinguished families at the seat of government." Here he fell in with "wild company" and became involved in debt. He made up his mind to devote his spare time to the study of law, but his ambitions were cut short by a spell of severe illness. While he was recovering, he again decided to enter the ministry. The young Scotch preacher, Archibald Cameron, gave him some "seasonable counsel" that sent him to "read divinity" under the Rev. James Vance, who lived near Louisville. He supported himself at this time by assisting Vance in his classical school and teaching vocal music. While thus employed he was received into the Transylvania

⁴ MS. of Wilson's Memoirs.

⁵ In 1795 David Rice and James Blythe raised funds for the school. George Washington and John Adams each contributed one hundred dollars, and Aaron Burr fifty dollars, for its maintenance. See R. Davidson, *History of the Presbyterian Church in the State of Kentucky*, New York, 1847, pp. 123-25.

⁶ MS. among the Joshua L. Wilson Papers.

⁷ Mahon was finally deposed from the ministry on account of intoxication. MS. Minutes of Transylvania Presbytery, October 2, 1804, at the Presbyterian Theological Seminary, Louisville, Ky.

Presbytery as a candidate for the ministry, and a year and a half later, in 1802, he was licensed to preach. He married Sarah Mackay, the only daughter of George Mackay, on October 22, 1801. In the spring of 1803 he began preaching to the congregations at Bardstown and Big Spring. On June 8, 1804, he was ordained and installed over these churches, and continued to minister to them until 1808. In the latter year a friend informed him that the Presbyterian Church in Cincinnati desired a minister and recommended that he seek the position. Wilson was anxious to leave Bardstown because the subscriptions to his salary were falling off, and in spite of the fact that he taught school and tilled his own garden in an effort to meet his expenses, he was heavily in debt. He visited Cincinnati in March, 1808, and moved his family to the new location in May of the same year. Here he began a ministry that continued for a period of thirty-eight years—until his death.

Cincinnati was the most important settlement in that section of southeast Ohio between the Great and Little Miami Rivers known as the Miami Purchase, or the Symmes Purchase—after John Cleves Symmes of New Jersey, who purchased the region from the United States Government. The site on which Cincinnati was to be located was bought from Symmes by Matthias Denman of New Jersey, who associated with himself two equal partners and began the settlement in the latter days of December, 1788. Certain lots were set aside for religious purposes; since the denomination most numerous represented was the Presbyterian the first church to be established was of that communion. *The Register of the United Congregations of Cincinnati and Columbia* shows that, "In October, 1790, the Rev. David Rice, of Transylvania Presbytery, Kentucky, visited Cincinnati and Columbia, and before his return, constituted a church."⁸ The church had only eight members when organized, but the next year one of Rice's students, James Kemper, was ordered by Presbytery to "supply in the settlements of the Miami at discretion."⁹ On October 23, 1792, Kemper was ordained in Cincinnati's newly erected meeting-house, at the first session of Presbytery held north of the Ohio. He continued

⁸ MS. in possession of Pleasant Ridge Presbyterian Church, Cincinnati, Ohio. Columbia was settled by Benjamin Stites at the mouth of the Little Miami in November, 1788. It was the first settlement in the Symmes Purchase.

⁹ MS. Minutes of the Presbytery of Transylvania, April 27, 1791.

his charge until the fall of 1796. With his resignation, the Cincinnati congregation began to maintain a separate existence. From this time until the coming of Wilson the church was served by several ministers. The revival during the first years of the new century brought contention into the congregation, and for a while there were rival parties within the church. In 1808 the one other organized religious body in Cincinnati besides the Presbyterians was the Methodists, who formed a society in 1804 and built a chapel in 1806.

Before Wilson went to Cincinnati he had already won distinction as a young man with a "vigorous and inquiring mind" and as a contender for the truth. At Frankfort he opposed the deists and entered into a newspaper controversy with them over the observance of the Sabbath. His enemies at one time threatened his life and he carried a gun for defense.¹⁰ At Bardstown the "infidels and dissolute persons" destroyed his place of worship in a shady grove near the village. Wilson not only was active against the admirers of Tom Paine and Thomas Jefferson, and adherents of deism in general, but also was opposed to the movement within his own denomination to license men for the ministry who had not acquired a knowledge of Greek and Latin. He himself attained a sufficient mastery of these languages to instruct and examine others in them. It was a source of chagrin to him that several men who made no profession of classical learning were licensed to preach at the same time as he. Being appointed a member of the Kentucky Synod's commission in 1805 to "adjudicate" upon the irregular proceedings of the Cumberland Presbytery in permitting untrained men to enter the ministry he used his power to bring about the dissolution of that Presbytery. It was known to his fellow ministers when he went to Cincinnati that he would be opposed to the New Light or revival movement in Ohio. The followers and friends of Barton W. Stone had been numerous in that section and many, under the persuasion of Richard McNemar, had gone over to the Shakers. But when Wilson arrived, he found a party of Old Calvinists ready to follow his leadership.

Wilson was called to the Cincinnati congregation by annual appointment instead of being settled as permanent pastor. He began on a salary of \$350, but the amount was increased

¹⁰ MS. of Wilson's Memoirs.

gradually until the subscription was finally as high as \$1800. For the first three and a half years he found the people of this town of about two thousand inhabitants "uncommonly moral." During this time he was making an effort to adjust himself and enter into the community life. He became known as a man of "great energy and decision of character."¹¹ But his inflexible firmness led some to regard his manner as "imperious and overbearing."¹² The *Cincinnati Directory* for 1819 shows that he was secretary of the Miami Bible Society, president of the Tract Society, and president of the Union Sabbath School Society. He had become interested in education and was instrumental in the founding of a Lancastrian Seminary in the town.¹³ For several years after the establishment of Cincinnati College in 1819, he was professor of moral philosophy and logic in that institution. For this service he received no salary, but was honored by the college in 1823 with the degree of Doctor of Divinity. With all of his activities and responsibilities Wilson preached regularly in Cincinnati and frequently in the surrounding country. Although he seldom wrote out his discourses, he made careful notes for most of his public addresses. His unquestioned honesty led to his appointment as treasurer of the county in 1814, and five years later to his being chosen to fill out the term of the city treasurer when the latter proved to be a defaulter.¹⁴ There is no evidence that Wilson's participation in the civic and cultural life of the growing Western center ever led him to question his calling as a minister; he was always the minister of the "glorious gospel." It was in this capacity that he served for more than a decade as chaplain in the Ohio militia. He wrote in his diary for Monday, October 3, 1825, as follows:

Since Friday I have preached 4 sermons, delivered 5 sacramental and 2 funeral addresses and visited 8 families in affliction besides attending to the business of the session and my own family.

Wilson became the father of eight children, four sons and

11 E. D. Mansfield, *Memoirs of the Life and Services of Daniel Drake, M. D.*, Cincinnati, 1855, pp. 236-37.

12 Archibald Cameron to J. L. W., March 6, 1815. Unless otherwise stated, letters cited are among the Joshua L. Wilson Papers.

13 A plan of instruction devised by Joseph Lancaster. See L. C. Weigle, *American Idealism*, p. 274. *Pageant of America Series*, vol. X. New Haven, 1928.

14 Certificate of appointment as county treasurer contained among the Joshua L. Wilson Papers. See also H. A., and Kate B. Ford, *History of Cincinnati*, Cincinnati, 1881, p. 73.

four daughters. Of these all but two sons and one daughter preceded him to the grave. Suffering and death brought grief into his home, but no family strife ever threatened to disrupt it. There was harmony between Wilson and his wife. Together they undertook to guide their children "in the ways of the Lord." While the young did not always follow the precepts of their elders, it is interesting to know that of the three who survived their father one son was a Presbyterian minister, the other a Christian physician, and the only daughter married a minister of her father's church.

In the world in which Joshua L. Wilson lived there was a constant struggle in process between truth and error, good and evil, between the elect and the damned. Controversy was the proper means by which to ascertain the truth. He noted in his Memoirs that "almost all that a public teacher speaks or writes is controversy—is disputation for or against the truth." Elsewhere he recorded that neither eloquence, poetry, nor music was as rejoicing "to the heart of a sincere inquirer after truth as down right controversy."¹⁵ In 1829 he made the following remarks in the columns of his religious newspaper:

In our apprehension, controversy consists in a clear statement of facts—in a fair application of proofs and illustrations—in logical arguments—in legitimate inferences—and all this to exhibit truth, overturn error, promote the glory of God and the peace, purity and happiness of men. These are exercises of which a good man can never be sick—in which he is commanded never to be weary.¹⁶

The first of the major controversies into which Wilson entered during his long ministry at Cincinnati was one with the Methodists in 1811. Some years earlier the Presbyterians and Methodists had begun a pamphlet warfare with each other in Kentucky. While the Western Annual Conference was in session at Cincinnati in 1811, several of the younger preachers, including Peter Cartwright, had printed anonymously a piece of satiric doggerel, entitled, *The Dagon of Calvinism or the Moloch of Decrees, A Poem in Three Cantos*. Wilson was in bed with rheumatism when some sheets of the "detestable book" were brought to him. He says that "no electricity nor Galvanic battery could have started man from his bed quicker nor kept him up longer" than this "poem." He learned the name of the publishing firm which printed the book but could

¹⁵ *Episcopal Methodism; or Dagonism Exhibited*, Cincinnati, 1811, pp. 8-9.

¹⁶ *The Pandeot*. Cincinnati, February 10, 1829.

not find out the names of the sponsors. Therefore he presented charges to the Methodist leaders of the town against one of their number who was a member of the firm. As he could not get the satisfaction he demanded, he prepared a reply to the pamphlet. He entitled his publication *Episcopal Methodism; or Dagonism Exhibited*. He attacked the Methodist doctrine and polity, pointing out that the "decrees of God" were the great object of contempt of that denomination while the articles of the Calvinistic faith were "the living oracles of God." Several replies were made to Wilson's pamphlet, the most significant probably being that of William Burke of Cincinnati in a work with the lengthy title, *The Methodist Episcopal Church, Their Doctrines and Discipline, Together with the Characters of Certain Individuals, Vindicated from the Unjust Representations of Joshua L. Wilson*.¹⁷ The Presbyterian periodical, *The Evangelical Record and Western Review*, gave extensive reviews to both Wilson's and Burke's pamphlets, and the controversy was waged in Kentucky for several years.¹⁸ Wilson requested a friend to

... pray for me that my strength may be equal to my day. I am surrounded by a host of enemies—Infidels and Arminians who act in Co. No less than 10 Methodist preachers live in Cincinnati! But great is truth and must prevail tho' hand join in hand against it. For all that I have thought, spoken, written, or acted amiss may I lie humble, abhor myself and repent in dust and ashes. But if I am even cast down to the dust I shall not be in despair.¹⁹

Ten years later he said that it would be time enough for him to write another book against the Methodists when he learned to rule his own spirit.²⁰ This does not mean that Wilson regretted his behavior as a controversialist; he was sorry only for having lost his temper. Near the end of his life he said that he had found the Methodists consistent in nothing but opposition to the truth as revealed in the Bible.²¹

Scarcely had the controversy with the Methodists subsided when a dissenting party arose within Wilson's own church. A man named John Kelso joined the church in May, 1813, upon a certificate issued by the Indian Creek congregation of Ken-

¹⁷ Cincinnati, 1832.

¹⁸ *The Evangelical Record and Western Review* was edited by James Blythe and John P. Campbell, and published in Lexington, Ky., in 1812-13.

¹⁹ J. L. W. to J. P. Campbell, April 3, 1812.

²⁰ J. L. W. to S. D. Hoge, June 22, 1822

²¹ MS of Wilson's Memoirs.

tucky. He associated with himself a man named John Smith, from New York, who was not a member of the church, but who attended the meetings of the Thursday Evening Society. Together they took issue with Wilson on his explanation of the Bible, and the controversy became so heated that the session of the church finally suspended the meetings. Kelso gathered about himself other men within the church and endeavored to put Wilson out. The latter made the counter move of bringing charges before the session against the five leaders of the opposing party. They were accused of schism and slander and cited to appear for a hearing. Instead of complying with the order, they denominated themselves the Second Presbyterian Church of Cincinnati and held a public meeting on September 4, 1814. When they applied to Miami Presbytery for recognition, Wilson appeared against them in behalf of the session of the First Church. The matter was appealed to the Synod of Ohio and the discordant group was returned to the mother church. But the difference between Wilson and the session on the one side and the seceders on the other was so great that they again attempted to form a second church. In 1817 the controversy was carried up to the General Assembly, but the lack of certain documents which had been employed in the second appeal before the Synod caused the case to go "against the Session," and the Second Presbyterian Church of Cincinnati came into official existence. It carried on a precarious struggle for survival until Lyman Beecher came to Cincinnati in 1832.

In Wilson's opinion the Second Church was not organized according to the Presbyterian Form of Government. He opposed what he termed "innovations" in the Presbyterian Church and prided himself on being "a Calvinist of the Old School." When James Kemper returned to Ohio in 1814 and began to preach without transferring his membership from West Lexington Presbytery in Kentucky to Miami Presbytery, Wilson laid charges against him before the presbytery to which Kemper belonged because he considered it his duty as a minister to censure his fellow-presbyters for occasional disorders "arising from the manner in which they may discharge their important office."²² This led to an estrangement between Kemper and Wilson which lasted for several years.

Another minister of his own faith against whom Wilson

²² J. L. W. to the "Moderator and members of the West Lexington Presbytery," March 29, 1815.

brought charges was the Rev. William Arthur. He was a native of Scotland who, after a ministry in Pennsylvania, moved to Cincinnati. Beginning in 1820 he was permitted to deliver Sunday evening lectures in the First Church. These continued for more than a year, when it was decided by the session that if allowed to go on, the lectures were "calculated to produce some inconvenience," and Arthur was requested to "desist from occupying said pulpit." Arthur held the "Moderator of the session . . . responsible," and wrote a pamphlet concerning the affair entitled *Animadversions on Some Recent Occurrences in the Presbyterian Churches of Cincinnati*,²³ in which Wilson was rather severely arraigned. Wilson, in his turn, proceeded against Arthur in the manner prescribed by Scripture and the Presbyterian *Book of Discipline*—according to Matt. 18:15-16. First he visited Arthur, and not gaining satisfaction in this way, he took three others with him for a second conversation on the subject of their differences. No conciliation being effected, Wilson presented charges of slander before the presbytery. Arthur appealed to the General Assembly in 1822, but Wilson's charges were sustained and Arthur ordered to submit to rebuke by the presbytery. At this juncture Wilson intervened and a peaceable settlement was concluded. Four years later he made the following record of the case:

The offense of Mr. Arthur was comparatively small. It was committed against a brother in a season of prejudice and warmth and was easily removed by the restoration of calmness and Christian feeling.²⁴

In 1825 Wilson was instrumental in bringing about the deposition of Dr. James Welsh when he refused to appear before the presbytery to answer charges of "drunkenness, unfair dealing and neglect of ministerial duty." Welsh died not long afterwards and Wilson was accused of having hastened the death by his part in the prosecution, but he wrote in his diary, "Sweet is a good conscience! I never felt it more so."²⁵ He thought Welsh had "driven hard after the world," and this he opposed. Wilson also spoke and wrote against dancing and the theatre as being "worldly." So persistent were his attacks upon the supporters of theatrical performances in Cincinnati

²³ Cincinnati, 1821.

²⁴ MS. of the "Ecclesiastical History of Cincinnati Presbytery," 1826. Joshua L. Wilson Papers.

²⁵ Thursday, November 24, 1825.

that at one Fourth of July celebration someone drank the following toast: "The Cincinnati Theatre—May it not, like the walls of Jericho, fall at the sound of Joshua's horn."²⁶

Although neither the First Presbyterian Church of Cincinnati nor its minister was dependent upon Eastern missionaries, Wilson was known to be favorable to missionary activity, and the Eastern societies relied upon his assistance when they sent men to the West. But as early as 1817 Wilson began to think of the possibility of a Western General Assembly.²⁷ In 1830 he argued in behalf of this project and sought to bring about such a division in the church as would make one Assembly of the Mississippi Valley territory. He maintained that the West could not be represented in the Assembly which convened annually at Philadelphia. Wilson's proposal came too late, for already the Presbyterian Church was being divided into two schools—the Old and the New. The Old School held to Old Calvinism, was generally favorable toward Princeton Theological Seminary, and desired that the western missionary activities of the church be conducted by the Board of Missions of the General Assembly. The New School emphasized the freedom of the individual, inclined toward the "Yale theology," and supported the American Home Missionary Society as the better organization to conduct western missions. This society was formed in 1826 with headquarters in New York. While at the beginning it was predominantly Presbyterian, it had a minority of members of the Congregational, Dutch Reformed, and Associate Reformed churches. Under the "Plan of Union"²⁸ it aided both the Presbyterian and Congregational churches. Soon it was a competitor for the western mission field. The question of a policy for missions in the west came before the General Assembly in 1829 but each individual church was left to decide which organization it would support. Wilson's first position was that the two organizations should combine their work in the west. A proposal with this in view was put forth also by the corresponding secretary of the American Home Missionary Society, but it was not acceptable to the Assembly's

²⁶ Ford, *op. cit.*, p. 396.

²⁷ Archibald Cameron to J. L. W., September 23, 1817.

²⁸ Adopted in 1801 by the General Assembly and the Connecticut General Association, and later by other General Associations. By its terms both Presbyterian and Congregational missionaries could minister to churches of either denomination. See W. Walker, *A History of the Congregational Churches in the United States*, pp. 316-17. *American Church History Series*, vol. III. New York, 1894.

Board. Both groups sought the favor of Wilson.²⁹ When he became convinced that a union of the two in the west could not be expected, he chose to cooperate with the Assembly's Board on the ground that missions should be conducted by the church functioning as a missionary organization and not by voluntary associations.³⁰ Early in 1831 he delivered and had published his first address against the American Home Missionary Society. From this time until the expulsion of the Society from the Old School, with the division of the Presbyterian church, he opposed it in sermons and pamphlets because it was "aiming to overthrow the Presbyterian Church."

In Cincinnati and its environs Wilson became the leader of the Old School. He began a weekly publication in 1828, called *The Pandect*, for the purpose of setting forth Calvinistic doctrines. After this paper passed out of his hands, in the following year, he came to see the necessity of another Old School organ to thwart the New School aggressions; *The Pandect* had become a New School paper under the name of *The Cincinnati Journal*. In 1831 Wilson obtained the assistance of Old School friends to begin the publication of *The Standard*. The ordination of the editor of *The Cincinnati Journal* during the same year, in the face of Old School opposition, led Wilson to publish a series of articles on "Mr. Blanchard's Case." *The Standard* also printed information exposing the character of the New School minister, the Rev. Asa Mahan, who had come to Cincinnati from the Presbytery of Rochester. Wilson's attacks in *The Standard* resulted in the New School bringing charges against him before the presbytery. When Cincinnati Presbytery met in September, 1832, there were three cases against Wilson. He appealed to the synod, which endeavored to quiet the controversialists by a compromise. But Wilson was seeking "the purity" of the church and would not be silenced.

When the General Assembly of 1827 voted to establish the Western Theological Seminary near Pittsburgh rather than near Cincinnati, it was done against the wishes of Wilson and his party who had contended for the latter location. This decision, however, did not cause them to give up the idea of

²⁹ James Blythe to J. L. W., April 23, 1830. Absalom Peters to J. L. W., November 9, 1830.

³⁰ R. Cushman to Absalom Peters, December 17, 1830. The American Home Missionary Society Correspondence, at the Chicago Theological Seminary, Chicago, Illinois.

a seminary in the Cincinnati area. As the Baptists were unable to raise funds to meet the stipulations that went with an offer of \$4,000 by the Lane brothers for beginning a theological school, the proposition was taken up by the Presbyterians in 1828. Wilson was chairman of the board of trustees which attempted with little success to raise additional funds for the new seminary. Finally in the fall of 1830, a New School member of the board, Rev. F. Y. Vail, agreed to return to the East in an effort to raise money and procure a president for the institution. Contributions were obtained on the condition that Lyman Beecher, pastor of a Congregational church in Boston, accept the position of president and professor of theology. His work in the east prevented his immediate journey to the west, but when he did arrive in 1832 he found Wilson opposed to his interpretations of the church's doctrines and polity. When Beecher was invited to Cincinnati in 1830 there was still hope of union in the missionary work of the west and of cooperation between the two Schools in founding a "Princeton of the West." By the time Beecher arrived in Cincinnati the hope had passed away. Wilson had resigned from the board of trustees of Lane, and the two men stood in opposing camps.

Finding himself in the minority party of his presbytery, Wilson was not anxious to place charges against Beecher on his own responsibility; he first tried to prevail upon the presbytery to make an investigation of Beecher's beliefs. This method of procedure being refused him, he began formal prosecution in November, 1834, by charging Beecher with heresy, hypocrisy, and slander. The trial was carried from the presbytery to the synod, where Beecher was "admonished to be more guarded in future." Beecher acquiesced in the decision of the synod, and was requested to publish "in pamphlet form" certain of his theological views "agreeably to his declarations and explanations made before the synod."³¹ From the mild course of the Synod of Cincinnati Wilson appealed to the General Assembly. He claimed that Beecher was not constitutionally a member of the Presbyterian Church, since before coming to Cincinnati Beecher had joined the Third Presbytery of New

³¹ Extracts from the Minutes of Cincinnati Synod. Joshua L. Wilson Papers. Also C. Beecher, *Autobiography, Correspondence, Etc., of Lyman Beecher*, II, 358-59. 2 volumes, New York, 1864. Cf. *Trial and Acquittal of Lyman Beecher, D. D., before the Presbytery of Cincinnati, On Charges Preferred by Joshua L. Wilson, D. D.*, Published by Eli Taylor, Cincinnati, 1835.

York without attending its meeting or expecting to reside within its bounds, and the course of the presbytery was disapproved by the Synod of New York. When the Assembly of 1836 convened, however, it was controlled by a New School majority. As the case of Albert Barnes was similar to that of Beecher, "at the earnest request of many brethren" Wilson withdrew his appeal.³² This was the most strenuous and most widely heralded of Wilson's controversies.

After thirty years in the ministry, Joshua L. Wilson was still a "Westminster Confession of Faith man."³³ The General Assembly of 1831 authorized the presbyteries in the Valley of the Mississippi to correspond with each other for the purpose of deciding how missions should be conducted in that section. This resulted in the calling of the Cincinnati Convention in November, 1831. The convention left the problem in much the same state of indecision, but increased the rivalry between the two missionary organizations, and between the two Schools. When an Old School brother expressed apprehension lest the New School should secede, Wilson responded by saying that his own fears were that they would not "go off."³⁴

A group of Old School elders and ministers, of whom Wilson was one, met in Butler County, Ohio, on the last day of July, 1833, for the purpose of deciding, "What ought to be done?" In a two-day session, the "Western Memorial" was prepared for the next General Assembly. Among other demands it requested that the Assembly should abrogate the Plan of Union and conduct its own missionary function. This document, with a circular letter signed by nineteen ministers and twenty-three elders, was sent among "those who love the doctrines and the discipline of our Church" for their approval and adoption.

The Assembly of 1834 was the third successive one to contain a New School majority; consequently, the position of the "Memorial" was nullified and the contrary affirmed. Following the adjournment of the Assembly, Wilson attended the meeting of Old School leaders in which the "Act and Testimony," drawn up by Robert J. Breckinridge, was signed by thirty-seven ministers and twenty-seven elders. This document

³² J. L. W. to Sarah M. Wilson, May 31, 1836.

³³ John Howe to J. L. W., November 18, 1831.

³⁴ J. L. W. to James Blythe, July 9, 1833.

was the successor of the "Western Memorial" and Wilson championed it in the West. It provided for an Old School convention to meet in Pittsburgh preceding the General Assembly which was to be held in that city in 1835. As the Assembly of 1835 contained an Old School majority, it proceeded to carry out the "reforms" specified in the "Act and Testimony." The next Assembly, however, was dominated by the New School and the acts of the previous year were reversed.

The Old School called another convention to convene in Philadelphia preceding the Assembly of 1837. As the Assembly of that year showed an Old School majority, it proceeded to enact the changes proposed by the convention. On the floor of the convention Wilson made the following statement:

I can hardly believe that anybody in the Convention has struggled more than I have in the controversies of the Church, or that anybody desires to be separated from those who are unsound more than I do.³⁵

His desire for separation "by decisive action" was realized, and in 1838 he had the pleasure of seeing the New School "go out" from the "elect." Throughout the struggle Wilson had been a stalwart force for the Old School in the West. In 1839 he was chosen moderator of the Old School Assembly. When he opened the Assembly of 1840 with a sermon he chose for his subject the "History of Heresies."

After the separation of the New School from the Old, Wilson was accused of being a pro-slavery minister, although in 1834 he had been called a "new-fledged Abolitionist."³⁶ In 1836 he wrote a congressman that "for the last thirty years I have had not a solitary doubt that slavery is alike unscriptural and unwise."³⁷ Yet in 1839 he saw fit to discourse for two successive Sundays on the "Relations and Duties of Servants and Masters."³⁸ When the matter of slavery was mentioned to him at the Old School Convention in 1837, Wilson decided to "let the Southern brethren manage their own concerns in their own way."³⁹ He never was an abolitionist; in 1836 he

³⁵ *The Western Presbyterian Herald*, Louisville, Ky., June 1, 1837.

³⁶ Beecher, *op. cit.*, II, 356.

³⁷ J. L. W. to Hon. B. Storer, January 21, 1836.

³⁸ Published in pamphlet form, Cincinnati, 1839.

³⁹ W. H. Foote, *Sketches of Virginia*, Second Edition, Philadelphia, 1856, p. 520.

had expressed himself as being opposed to the "mistaken zeal" of the abolitionists on the one hand, and to the "violent measures" used against them on the other. His advice then was, "Oppose them both, but never admit for a moment that slavery is right or that the evil is incurable."⁴⁰ Favoring the eradication of slavery by legislative means was the position Wilson professed to hold throughout the period of his ministry in Cincinnati. Once this made him an advocate of emancipation, but with the rise of abolitionism he was practically forced into the camp of the apologists for slavery. He concluded that God "approves *slavery* as he does *war* as one mode of punishing sin in the world."⁴¹

Ecclesiastical controversies did not cause Wilson to neglect his first duty, that of ministering to the congregation of "God's elect" in Cincinnati. His quarterly report rendered on April 2, 1839, shows 98 visits, 12 lectures, 12 letters written, and 15 business meetings attended, besides the preparation of a thirty-page pamphlet for the press. In spite of ill health and poor eyesight for most of his life, he was a prodigious worker in the "Lord's vineyard," and continued to preach until three weeks before his death. In 1841 he delivered a sermon on the occasion of the death of President Harrison, whose home was at North Bend, Ohio, and who had once contributed toward Wilson's support in the days when both soldier and preacher were needed on the frontier. In the year that closed the battle of life for Wilson he wrote his son as follows:

I have a great desire to feel and act right about the war. But it is difficult. I consider the war as improvident and unjust, and yet I desire our government now that it is begun to conquer Mexico and open the way for the Gospel. . . .⁴²

"Open the way for the Gospel" might have been his motto.

Almost a century has passed since Wilson completed his career. His labors in support of Calvinism on the frontier made his life significant. He was probably the most able controversialist of the Old School in the Mississippi Valley. Certainly no more sincere or zealous minister lifted the standards of Presbyterianism in a western settlement. He found Cincinnati a village and left it a prosperous city. As an advocate

40 J. L. W. to Hon. B. Storer, January 21, 1836.

41 J. L. W. to Rebecca C. Clopper, July 18, 1839.

42 J. L. W. to Samuel R. Wilson, May 23, 1846.

of public education and social improvement, he exerted a continuous influence upon the growing community. At his death a local paper said that no man living in a large city had done more "in moulding its character."⁴³

⁴³ Quoted from the *Commercial Advertiser* by the *Presbyterian Herald*, Louisville, August 27, 1846.

BOOK REVIEWS

PAPAL REVENUES IN THE MIDDLE AGES

By WILLIAM E. LUNT. New York: Columbia University Press, 1934.
2 vols. x, 341, ii, 665 pages. \$12.50.

Professor Lunt has placed students of the Middle Ages generally and of papal history in particular under a very great debt for the work before us. In two stout volumes, he presents the subject in an introduction of 136 pages, followed by nearly 750 pages of documents from archives, so arranged that they serve as expansions of the references in the footnotes of his careful analysis of the structure of the papal exchequer. There follow a bibliography of works cited (ii, pp. 541-565) and an excellent index of nearly a hundred pages. The author notices that since the opening of the Vatican Archives in 1881, their exploration has left little mark on English historiography, and he aims to fill this gap and clear the way for future work. He has approached the subject in the spirit of Tout, and the importance of the wardrobe is in no way confined to English administrative history, for as early as the seventh century, and if Duchesne is right as early as the beginning of the sixth, the *vestiarium* had come to mean the papal treasury and the *vestararius* (*sic*) is the third official who had part in the management of finances.

The introduction and documents fall into two main parts: the fiscal administration (pp. 1-56) and revenues (pp. 56-136). In the former the author traces the early organization under the *arcarius*, *sacellarius*, *vestararius*, noticing the debt to the administration of Byzantium. He then turns to the papal *camera*, which is noticed as early as 1017. In the new officer—the *camerarius*—who appears at this point, it would seem probable that the earlier offices were absorbed. The organization of the *camera* follows, with the development of the system of papal collectors from the system which prevailed in the patrimonies. This survey concludes with a consideration of the “cameral merchants” and the relations between the papal and the great banking houses of Italy, whose interests were to determine so largely the destinies of the sixteenth and seventeenth centuries.

The revenues of the church started from the patrimonies, but with the Arab conquests in the eighth and ninth centuries and the Frankish endowments, a new set of circumstances arises calling for new forms and sources of revenue. The principles of Pseudo-Isidore find a fiscal expression in the census of protected and exempt ecclesiastical foundations, by means of which the pope held the title deeds of the benefice and gained thereby an entry into local affairs over and above the ordinary course of *causae majores*. The differentiation between tribute, Peter's Pence, and the various forms of annates is particularly valuable and Flick does not fare well in the footnotes. A variety of other sources of revenue is handled, including the difficult question of indulgences, and the influence

of the Crusades in developing the mercenary atmosphere which surrounded their ill-omened name.

The whole throws light on several of the major problems of church history but these can only be indicated here. It illustrates the enormous increase of cameral activity caused by the Babylonish Captivity, which cut off the curia from its feudal sources of revenue. The influence of the Crusades, whether against the Saracen or the heretic, in increasing the demands on papal funds gave use at times to extreme pressure. The appalling increase of bureaucracy which accompanied the expansion of papal dominion and needs gave rise to increasing costs of administration. These costs were transmitted in demands which reached, under Boniface VIII, clerics whose incomes did not exceed six marks a year, while the various forms of *servitia debita* of newly appointed prelates so seriously encroached on the revenues of their sees as to cripple alike their personal and official incomes to the great prejudice of their episcopal duties. All demands were enforced by the right—far too freely delegated and used—of excommunication, which again impeded church administration. The modern income-tax collector, representing the prince of this world, is but the merest *dilettante* compared with the delegates of the mediaeval Vicar of Christ. Indeed, the combined ecclesiastical, political and economic pressure exercised by the camera and its agents from the time of Innocent III onwards so nearly accounts for the opposition of the national states that it serves almost to exonerate Alexander VI!

F. W. Buckler.

The Graduate School of Theology,
Oberlin College.

PAUL: HIS HERITAGE AND LEGACY

By KIRSOPP LAKE. New York: Oxford University Press, 1934. xix, 153 pages. \$2.00.

A book by Professor Lake is always welcome, and this one has the individual qualities which we expect from his work. It is grounded in a profound knowledge of early Christian history and literature. It abounds in acute reflection, and is written in a style which is always vigorous and incisive and sometimes brilliant. Although it deals with a bygone world it is much more readable than any of the current books on Germany or Russia. The subject ostensibly is Paul, but is more accurately described in the sub-title, "his heritage and legacy." Only about twenty pages are devoted to Paul himself. The earlier section consists of a survey of the Jewish and Hellenistic background of the Christian movement and its origin in the life and teaching of Jesus. The closing and most important section is concerned with Christian thought in the age subsequent to Paul, and with the present condition and future prospects of Christianity.

We cannot but feel that the author has tried to do too much in a brief volume. He is constantly obliged to throw out in the form of assertion ideas and statements which require to be qualified and proved. His theology is highly rationalistic, and to this no fair exception can be taken. He has a perfect right to express his own honest opinions, and

since he is emphatically a man with an interesting mind they are always original and stimulating. His book may be recommended as a tonic for all who are suffering, theologically, from sleeping sickness. Too often, however, he lays down as self-evident truth what is only his own opinion. He falls, moreover, into the common error of prophets in accepting too confidently his own vision of the future. It is the chief burden of his prophecy that the church is doomed unless it breaks with the past and builds its faith on the coming revelation. There is only this difficulty—that we know nothing whatever of the future. Though no fault of its own the church will have to wait till next century before it can conform itself as our author desires, to next century's ideas. As a Christian of the future he puts his trust in "the rising generation." He gives us to understand in a number of places that the ultimate judgment on all the eternal problems is that of the present-day undergraduate. Here, it would seem, is the true seat of authority in religion. In this reverence for babes and sucklings Professor Lake is more than biblical; and one cannot but wish that here, at least, he had preserved his attitude of doubt.

E. F. Scott.

Union Theological Seminary.

A PAPYRUS CODEX OF THE SHEPHERD OF HERMAS

(SIMILITUDES 2-9) WITH A FRAGMENT OF THE MANDATES

Edited by CAMPBELL BONNER. University of Michigan Studies, Humanistic Series, Volume XXII. Ann Arbor: University of Michigan Press, 1934. xi, 137 pages, 5 plates. \$3.00.

Professor Bonner's long awaited edition of the University of Michigan's unique treasure is most welcome, for many reasons. For one thing, it is splendid that an American university, and a state university at that, maintains such an interest in humanistic study. For another thing, the Michigan Hermas makes a notable contribution to what is just now a very lively interest: the palaeography of Greek papyri. Naturally the primary point is that the Shepherd of Hermas is an extremely important source for the study of what is technically known as "popular" Christianity in the primitive period, and this papyrus, being very early, would inevitably be an important source for the study of its text.

It is no disappointment that the papyrus does not radically correct the text of Hermas as already edited. Professor Bonner has with great patience and care provided his edition with a critical apparatus; future editors of Hermas will owe him much. He has wisely permitted the manuscript to speak for itself, rather than submerge it as part of a "critical" text. Since the codex furnishes Greek text for parts which heretofore were edited from versions, the procedure of Professor Bonner will meet with all the readier approval. Another aspect in which the editor deserves the thanks of his readers is that he has exhibited the "vulgar" forms of the manuscript as they stand. Thus the use of this edition should do the more to make the student aware of the popular character of the Shepherd itself.

Since perhaps some of the readers of this Journal are unaware of

the fact, it may be pointed out that the form of the manuscript is a codex, not a roll, in spite of the fact that it originally contained not less than 43 sheets, 172 pages. This is what makes the manuscript so important palaeographically. Its information valuably supplements that to be gleaned from the Chester Beatty papyri.

Professor Bonner and the University of Michigan are to be congratulated for making such important contributions to scientific knowledge in several fields. It is to be hoped that these leads will soon be followed, so that work may be done upon the Shepherd from the interpretative side; an edition of the work which treats it as a reflection of popular Christianity is greatly needed.

Donald Wayne Riddle.

The University of Chicago.

THE APOSTOLIC TRADITION OF HIPPOLYTUS

By BURTON SCOTT EASTON. New York: The Macmillan Company, 1934. 112 pages. \$2.25.

The first English translation of this important church order, most influential in the Eastern Church, which Professor Easton has here published, puts students of early church history under heavy obligation to him because of its valuable source information and the accompanying critical notes and discussions. But it is in itself a remarkable achievement, for the translation represents a conflation of fragments (clearly marked in the margin) from the original Greek (in the *Epitome*, the *Constitutions* and the *Vienna fragment*); the primary version of the *Sahidic*; the secondary witness of the *Arabic*; the tertiary version of the *Ethiopic*; excerpts from the *Testament*; and to the largest part, of the Latin primary translation (*Verona palimpsest*, 6th cent.). On the basis of this difficult textual situation (critically discussed in an introductory chapter, pp. 27-32), an edition nevertheless has been produced which "warrants confidence that the substance and in most cases even the original wording of Hippolytus' rules have really been preserved."

The "lapse or error" mentioned in I:4 Easton applies to the Zephyrinus-Callistus "schism" and thus dates the document near the year 217.

Introductory to the translation, two chapters are given on Church Orders and Hippolytus respectively. The first traces the evolution of church orders through the ceremonial legislation of the Pentateuch (e. g. tithing), "moral" laws of the O. T. (cf. Clement of Rome), taught either directly from the O. T. or perhaps more commonly from short digests of O. T. laws; concrete rules from Greek (mainly Stoic) ethical sources (cf. Rom. 1:29-31; I Tim. 3:2-3; Tit. 3:1-2. See also Easton's "New Testament Ethical Lists," *JBL.*, LI., Pt. I); customs and conventions in contemporary life (cf. I Cor. 11:4); customs of local churches, rulings of outstanding churches and individuals (Clement of Rome, Ignatius of Antioch); and a process of unification under the influence of long established conventions which had taken on the aspect and sanctions of "Apostolic" traditions. Then follows a discussion of the chief church orders in their chronological order, of which not the least important feature is the reference for each to the best critical edition, in original or translation. The chapter on Hippolytus reconstructs the main facts of his life

and states (see above) the textual history of the Apostolic Tradition.

The rich information on ceremonial practices as well as inner church life in Rome of the early third century which is here preserved is interpreted in an illuminating and stimulating series of notes covering almost one-half of the book's entire number of pages. A few of the more important facts or views which are here brought into prominence are the following: the authoritative influence of Ignatius on the sacerdotal development within the church, notably on the functions of the bishop, on the central position of the Eucharist (cc. 2-6); the late use of the title, "Servant", for Jesus (3:7)—which may be due to the prayer in 1 Clement 59:2, 3, 4, which in turn is under LXX influence, but has also the primitive Palestinian tradition of Acts 4:27, 30 as its N. T. example; the formative influence of Jewish blessings (*Berakhoth*) upon the Church's ritual prayers (e. g. the Eucharist, 4-6); the analogy of the Christian presbyterial system with the Jewish presbytery, which is especially apparent in Hippolytus' ordination prayer (8:1f); the practice of the Agape as distinct from the Eucharist, again following a Jewish pattern (*Berakhoth*, VI. 6), in that each person breaks his own bread and "offers" his own cup (the probable practice of the Agape-Eucharist in Corinth, I Cor. 11). Less convincing, however, is the view that the baptismal rite (c. 21) was self-administered (i. e. a bath) either in the church of Hippolytus or the churches of the Apostles. The middle voice of the Greek verb in Acts 22: 16; I Cor. 6:11; 10:2 would seem rather to refer to the consent of the mind on the part of those to whom the appeal is made.

Finally, this edition is fully equipped for reference work by the inclusion of four indexes of Biblical and patristic references and ancient and modern writers and books.

Frederick A. Schilling.

Walla Walla College.

BEYOND FUNDAMENTALISM AND MODERNISM

By GEORGE W. RICHARDS. New York: Charles Scribner's Sons, 1934. xi, 333 pages. \$2.

The subtitle is "The Gospel of God." President Richards certainly goes beyond fundamentalism, in finding in the Bible "much that is neither 'good news', nor reliable science, history, ethics, or theology", and also in holding that "the gospel" is not identical with doctrine. And for all his criticism of the "social gospel", the fundamentalists will get no comfort from him here. For he is a thorough pacifist, condemns capitalism, as also communism, and gives his adherence to "from each according to his ability, to each according to his need." He is no social reactionary. A strong reaction he does express, against modernism and liberalism, that is against a humanism whose essence is "to try to find God through nature and man", a conception of divine immanence which obscures the God who reveals Himself to man and acts for man, and a social gospel which reduces Christianity to a social program. Even more he reacts against extremer forms of humanism which know no God and no need of one. Against these tendencies he protests passionately, much under the influence of Barth and of Brunner even more. The issue is a strengthening of his evangelical convictions and a stating of them with emphases induced by Barth and Brunner.

"The gospel" President Richards defines variously, but with underlying unity. It is "an act of God in behalf of man to which man must make response", "good news from God and about God", "God's answer to the universal needs of the human soul." More specifically, it is "the glad tidings that God is, that He creates, upholds, and rules the universe, that he is the Father of men, providing for them, guiding them, forgiving them, working with them, and rewarding with the abundant life them that diligently seek Him, that His will in Christ will be done upon earth as in heaven." Once more, "The term 'gospel of God' is equivalent to the 'kingdom of God.' In other words, the content of the good tidings which Jesus announced is the fact that God's rule is at the point of coming." This conception of the gospel, emphasizing God's action for men, President Richards sets forth in chapters on the expression of the gospel in Jesus, and its relation to nature, history, the Bible, the law, theology, sin and salvation.

We have here in the main eloquent preaching of what the gospel has been held to be in evangelical Protestantism. It is the gospel disembarrassed of much theological lumber, and without obscurantism. The motto of the chapter on "The Gospel and Theology" is Brunner's sentence, "The Church owes it to the world to formulate its beliefs in a way that shall not conflict with scientific knowledge." One hesitates to ask it nowadays, but is not this liberal, liberal evangelicalism? President Richards is sometimes less clear than eloquent. His chapters on "The Gospel and Nature" and "The Gospel and History", largely Old Testament studies, are far from convincing; and his statements about the gospel and revelation on the one hand and reason on the other are difficult. But his assurance and enthusiasm make his words moving.

"The gospel" is stated in full view of the condition and needs of the world, somberly pictured; and it is for the world. President Richards will not hear of the distinction of individual and social gospel, or of Christian living by an individual apart from society. The gospel is to change hearts and lives, to the end that through them God's purpose for society may be realized. "We believe God Himself is anxious to remove slums and bitter strikes and imperialism, and exploitation and peonage; and we are fellow-workers with Him for the regeneration and renovation of the social order." This sounds like the social gospel; but President Richards goes "beyond modernism", that is beyond identifying the purpose of the gospel with a program. For "in this present evil world there never will come an order corresponding to the eternal purpose of God." And at times when this is a burden, when "the iron of a nationalistic state and a capitalistic industrialism pierce the soul", then "living the gospel" means that men have the power of God, in order that "we may not fall into absolute despair but live in truth and righteousness, in faith and hope and love, for the kingdom of God is nigh." The Christian strives devotedly "for human betterment"; but the twentieth century world has shadowed his faith in progress; yet the gospel makes him independent of results. "Whatever the economic condition of men and nations, . . . the Christian is to live for God, for the eternal purpose of God." He is to pursue an eternal ideal, with "abiding faith in the victory of God's purpose." In truth, many "modernists" have come to this. In his statement of it Pres-

ident Richards again is not as clear as might be desired. But his conviction and vision are helpful.

Robert Hastings Nichols

Auburn Theological Seminary.

MARTIN LUTHER

THE MAN AND HIS GOD

By BRIAN LUNN. London: Ivor Nicholson and Watson Limited, 1934. xvii, 344 pages. 12s., 6d. net.

This short biography is a popular presentation of the salient features of the reformer's life. Accordingly, technical details are reduced to a minimum. There is an index, preceded by a bibliography, which obviously takes the place of direct references in the body of the text. Extensive quotations, which the author has translated from Luther's Latin and German works in the Weimar edition, have been woven into the narrative. Biographical works, chiefly of a popular character, furnish an additional source of information.

The style is animated and graphic, with traces here and there of a desire to supplement the incompleteness of certain scenes and episodes by resorting to that which is literary, if not journalistic, rather than strictly historical. Examples of such fanciful reconstructions will be found in the second and third chapters of the book. The succeeding chapters, fortunately, are on a somewhat higher plane.

A few misleading statements of minor import might be mentioned, not to speak of two typographical errors (pp. 127, 324). It is claimed, for instance, that Luther received nothing for his services to the University of Wittenberg as a member of the teaching staff (p. 44); also that the municipality at Leipzig declined to offer him the customary drink of honor when he was on his way to the diet of Worms (p. 141). The fact is that the council of the municipality did send him the customary token of honor. Then, too, the allusive reference to the tower closet (p. 42) as the place of Luther's tower experience, ignores Stracke's treatise on the subject (*Schriften d. Ver. f. Ref.*, Nr. 140, 1926). These defects, however, do not destroy the general accuracy of the account.

Lunn's book is not an attack upon Luther's character like those of Denifle and Grisar. The evidence is presented with fairness and impartiality within the limits of the author's primary purpose, which is to make known to the English-speaking public the real Luther of recent research. His one-volume biography, with all its sketchiness and evident shortcomings, will appeal to the general reader and to many a theological student. It is not for the trained historian who has a good reading knowledge of German, nor can it compete with the scholarly four-volume work on Luther and the Reformation by Mackinnon of Edinburgh. In the absence of similar works by English and American scholars, one would like to see in an English garb the excellent biographies of Boehmer (1925) and of Scheel, which have not been entirely superseded by the productions of Mackinnon and of Lindsay.

Henry Schaeffer.

The Chicago Lutheran Theological Seminary,
Maywood, Illinois.

DIE KIRCHE VON ENGLAND

By G. K. A. BELL, PHILIP USHER, and A. W. DAVIES (*Ekklesia, eine Sammlung von Selbstdarstellungen der christlichen Kirchen*, Friedrich Siegmund-Schultze, ed., Vol. 1, *Die Britischen Länder*, part 1). Gotha: Leopold Klotz Verlag, 1934. 124 pages. M. 6.

Four-fifths of this number of *Ekklesia* is a translation of the Bishop of Chichester's *Brief Sketch of the Church of England*. Originally written for this purpose, the German publication was delayed and the book appeared in English in 1929. References to the Lambeth Conference of 1930 and to recent developments in inter-church relations have been added. Bishop Bell's long experience in ecclesiastical administration, the Lambeth Conferences, and inter-church bodies fits him admirably to know how the Church of England is run and what foreigners would like to know about it. His book has the advantages and disadvantages of the official attitude. It is probably the best available account of the organization of the Church of England, from the appointment of bishops to the expense accounts of rural deans. He gives several interesting bits of statistics not easily found elsewhere,—e. g. the distribution of patronage, and the number of priests in religious orders. The historical summary is good. The clear description of the inner life of the church is equally fair to Anglo-Catholics, Evangelicals, Modernists and the great body of ordinary churchmen. The bones are well and usefully clothed with flesh. Perhaps it is too much to ask that they should live.

Usher contributes a masterly brief sketch of the present state of English theology. Canon Davies' account of "work over-seas" is a description of the Church of England missionary societies and the home organization of Anglican missions. The churches founded by the English missionary societies are presumably to be treated under their own nations.

Edward Rochie Hardy, Jr.

General Theological Seminary, New York City.

DIE EVANGELISCHEN KIRCHEN DER NIEDERLANDE

By FRIEDR. SIEGMUND-SCHULTZE. Gotha: Leopold Klotz Verlag, 1934. 176 pages. 8 marks.

This volume is the third in a series of historical sketches of the Christian church in the countries of middle Europe, and has for its general subject *The Evangelical Churches in the Netherlands*. A comprehensive, though brief, introduction by the compiler-editor is followed by eighteen chapters, the first a general survey of Dutch church history since the Middle Ages, then eight chapters devoted respectively to the eight major Protestant religious groups, each written by a representative of the particular group in question, while the last nine chapters are concerned with the widening influences of Christianity, e. g., the modern theological tendencies, the Student Christian Movement, religious youth movements, the social and economic factors, foreign and domestic missions and world peace.

Obviously this review must limit itself to the volume as a whole. Nor is this difficult, for while seventeen professors and clergymen collaborated in its preparation there is a real and essential unity pervading the whole. The long struggle for independence from Spain, and an

equally bitter, though continued, struggle with the sea have made the Dutch a nation of individualists. Though this is quite generally recognized, it comes as a surprise that in the 1932 elections there were no less than 450 different political groups in the field. This individualism reflects itself in Dutch church life, not only in deep denominational cleavages, but also in widely diverging theological and Christological views. Nor is this all loss, for it is a grave question whether it is not better to have a hundred church and theological differences than to have none at all.

There is today a very marked tendency towards greater unity. Cooperation in foreign missions, the Student Christian Movement, in the field of social and economic life and world peace is very real. More than one writer pays tribute to Stockholm and Lusanne. Protestantism in the Netherlands has discovered that individualism carried to excess destroys itself. Repeatedly are references made to the fact that in 1909 there were 290,960 people without any church connection, while in 1930 that number had risen to 1,144,393. During those 21 years the Hervormde Kerk, the State Church, added only 144,072 to its numbers, while the Roman Catholics added 797,001, thus becoming for the first time the largest religious group in the land.

The various Protestant groups arose largely as the result of schism and strife. Naturally, lines of cleavage do not vanish in a single generation. Yet the restraint with which each writer describes the origin, development and ideals of his particular communion, particularly its relation to the communion from which it seceded, shows that a larger day is dawning. There is no self glorification, rather a spirit of penitence, and an expressed desire for larger cooperation, and in some instances for actual reunion. It is a pity that the second largest church group, De Gereformeerde Kerk, shows the least vision in this respect.

If the Dutchman is an individualist he is also a born theologian. However, diverging interests and a rapid secularization of life show only too clearly that theological rectitude and official orthodoxy do not of themselves make a nation Christian. The various religious groups are becoming increasingly aware of the necessity of church adjustment to the needs of youth, of a definite stake in the social and economic life of the day, and of taking an active part in the building of a warless world. In each of these fields the Netherlands is developing leadership whose influence is being felt beyond its borders.

This volume is deserving of highest praise. It is written in the kind of lucid German—some of it translation from the Dutch—which appeals to one who finds it hard to read Kant in the original. It has scholarship without pedantry, and is objectively true to historic fact. Every chapter is written by an authority in his field, who approached his task with sympathy and understanding.

M. J. Hoffman.

New Brunswick Theological Seminary.

RELIGION AND HISTORY

By JAMES C. MCKERROW. London: Longmans, Green and Co., 1934. 193 pages. 6s. net.

This author seems bent upon being original at whatever the cost.

Sweeping generalizations abound. There is no objection to a writer's expression of his imaginative impulses or to his own use of terms, providing they are made clear; clarity, however, is not a feature of this writing nor has the attempted originality scored. I cannot see much of profit in the reading, though, no doubt, the author has profited much for himself.

A *pot pourri* of secular and church history, biology, physiology, sociology, theology, Gnosticism, evolutionism, the apostolic period, economics, social origins, Catholicism, secular politics, history, Marxianism, Marcionism, and religion forms the subject matter which is supposed to hang together under the book's title. There is an apology in the preface for all this alleged unity but it may as well have not been set down. Religion is nowhere satisfactorily defined; one is supposed to understand that religious experience is a scientific fact and its meaning clear. Some scattered thoughts: man is taken to be different from animals in that he is religious; Gnostic Christians were the first Christians; sociologists must employ the fiction that societies have both bodies and minds; social evolution has its parallel in biological evolution; the stream of history follows a course of accidents plus social habits; dualism becomes inevitable when "religion becomes spiritual;" Christianity may well function without an historical Christ; and so on.

Perhaps another reader could get more out of this book than is shown here. Let him try.

Vergilius Ferm.

The College of Wooster.

THE STORY OF THE GERMAN BIBLE

By P. E. KRETZMANN. St. Louis, Mo.: Concordia Publishing House, 1934. 78 pages.

This is an interesting presentation of a very interesting subject. The reader is made to see how closely the history of the German Bible is associated with the history of the German people and the German language. The author covers a long period of this threefold history, and he covers it well.

Although some parts of the history of the German people might have been omitted from such a discussion of the history of the German Bible, perhaps many readers will welcome this even for its own sake.

The chief interest centers, of course, in Luther's version, which is universally regarded not only as the greatest translation of the Bible into the German language, but also, at least in many respects, as perhaps the greatest of the great translations of all time. Indeed, this emphasis of the author upon Luther's Bible is what one should expect, as the occasion that called it forth is this year's quadricentennial of the publication of the first edition of that great complete work in 1534. The progress of Luther's translation is interestingly traced through his correspondence, from the beginning of his work to the completed whole.

The booklet is a fine contribution to the subject of which it treats and will no doubt be widely read.

L. Franklin Gruber.

Chicago Lutheran Seminary, Maywood, Illinois.

